
GEORGIA
HOUSE OF REPRESENTATIVES



Session
Report

2012

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TO: Members of the Georgia House of Representatives

FROM: Martha Wigton, Director
House Budget and Research Office

RE: 2012 Session Report

The following report compiles the summaries for all bills and resolutions passed by the Georgia House of Representatives during the 2012 Session of the Georgia General Assembly.

Summaries with **BLACK** headers were passed by both chambers and have been signed by the governor or will automatically become effective on July 1, 2012. Local Acts become effective upon the governor's approval unless a different effective date is specified in the Act.

Summaries with **RED** headers are included for informational purposes only. These are bills that passed the House but did not pass the Senate, as well as the eight bills that have been vetoed. Vetoes are specifically noted in the red header.

We hope this summary provides you and your constituents with useful, accessible information for easy reference. It will be posted on the HBRO website. As always, if you require any additional information regarding legislation or budget issues, please call our office at 404-656-5050 and our staff will be available to assist you.

To that end, please note the following standing committee staff members who contributed to the content of this report:

Tracy Atcheson	Sarah Dunn
Brandi Bazemore	Craig Foster
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HOUSE SESSION REPORT

HB 39

Education; unexcused absence notices made by United States mail; provide

**Rep. Tommy Benton of the 31st
House Committee on Education**

Bill Summary:

House Bill 39 requires that declarations of intent and attendance records for home study programs be submitted to the Department of Education rather than local school superintendents. Attendance records shall be submitted annually and electronically. This bill allows local school systems to use first-class mail as an option to certified mail for notifying the parent, guardian, or person in control of any student ages six to sixteen with five or more unexcused absences.

HB 46

Uniform Interstate Depositions and Discovery Act; enact

**Rep. Mike Jacobs of the 80th
House Committee on Judiciary**

Bill Summary:

This bill replaces Article 6 of the Evidence Code relating to securing the attendance of witnesses and production and preservation of evidence known as the 'Uniform Foreign Depositions Act' and replaces it with the 'Uniform Interstate Depositions and Discovery Act.'

The bill provides definitions, and the new Uniform Act contained in HB 46 permits a domestic subpoena to be issued upon presentation of a foreign subpoena which is defined as any subpoena issued under authority of a court of record from a state other than this state. A state is defined as any state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, a federally recognized Native American tribe, or any territory or insular possession subject to the jurisdiction of the United States. Foreign does NOT mean a foreign country.

Unlike the current Uniform Act, the new proposed act not only applies to depositions but also to all types of discovery.

HB 48

Ad valorem tax; freeport exemptions; revise and change certain provisions

**Rep. Jay Powell of the 171st
House Committee on Ways & Means**

Bill Summary:

House Bill 48 expands the current Freeport inventory exemption. It allows local governments to hold a local referendum to exempt inventory of finished goods. Currently, the Freeport exemption only applies to inventory for final destination outside Georgia or inventory in the process of manufacture of production. This bill creates a "Level Two" Freeport exemption that would include all inventory of a business not otherwise qualified for the current, or "Level One" Freeport exemption. The county or city may exempt 20, 40, 60, 80, or 100 percent of such inventory, subject to local referendum. This "Level Two" Freeport may be granted either in lieu of or in addition to the current "Level One" Freeport exemption.

HB 93

Code enforcement boards; code enforcement officers; change definition

**Rep. Tom Taylor of the 79th
House Committee on Judiciary**

Bill Summary:

The bill changes the definition of code inspector to reflect the new state and federal designations by professional organizations as a code enforcement officer.

The bill amends Article 2 of Chapter 74 of Title 36 relating to local government code enforcement boards created on or after January 1, 2003, to change references from code inspector to code enforcement officer.

HB 100

Georgia Tax Court; create

**Rep. Allen Peake of the 137th
House Committee on Judiciary**

Bill Summary:

The intent of this legislation is to respond to the need for an independent, specialized agency separate from the Department of Revenue to resolve taxpayer disputes in an efficient and cost-effective manner. One of the main recommendations from the Joint Tax Reform Council was the need for an establishment of a Georgia Tax Court or Tribunal.

The bill creates the Georgia Tax Tribunal and moves it under the Office of State Administrative Hearings. The tribunal includes a Small Claims Division.

The tribunal must have at least one administrative law judge, but may have more. Initial judges will be appointed by the governor, and post-initial appointments will be made by the governor with the Senate's consent. The governor may appoint another judge if he thinks it would help the tribunal's administration. The tribunal's administration will be run under the direction of the chief judge. Tribunal judges may be removed by the governor with the Senate's consent after notice and an opportunity to be heard. Judges must be United States citizens, Georgia residents during their service, and be licensed Georgia attorneys with at least eight years of tax law experience. Tribunal judges are prohibited from other employment during their service.

The chief judge must appoint a clerk, court reporter, and other employees as is reasonably necessary for the tribunal to run efficiently. The tribunal may contract for court reporter services, as well as the reporting of services.

Effective January 1, 2013, any person may petition the tribunal as set forth in the situations listed below. The tribunal will have no jurisdiction over Title 3 (alcohol) or Title 40 (motor vehicles and traffic) actions. No surety bonds or security are allowed in tribunal actions. Actions in the tribunal must be commenced pursuant to the procedure provided for in the Act. The Georgia Civil Practice Act rules regarding discovery and deposition will apply to tribunal proceedings, but informal practices are preferred.

Trials in the tribunal will be de novo and without a jury. The tribunal may receive evidence, conduct hearings, issue final judgments, and issue interlocutory orders. The tribunal may apply civil rules of evidence, but may also consider evidence if a reasonably prudent man would rely upon such evidence during his course of business. All orders must be in writing and include statements of fact and law. The tribunal must adhere to the principle of stare decisis, and all decisions must be indexed and published.

Any party may appeal the tribunal's final judgment to the Fulton County Superior Court within 30 days of the judgment's service. The reviewing court must decide on the tribunal's judgment or remand the case within 90 days of receiving the last brief. A party may seek final review with the Georgia Supreme Court.

A small claims division is provided for in the tribunal, wherein certain actions less than a set monetary amount may be heard after a party makes an election for the action to be heard in small claims.

Tribunal Application

A taxpayer may appeal with the tax tribunal to challenge the State Board of Equalization Commissioner's proposed assessment. If he chooses to appeal with the tax tribunal instead of Fulton County Superior Court, the discovery provisions of the tax tribunal will apply. A taxpayer may bring an action in the tax tribunal if his claim for a refund is rejected. If a taxpayer is affected by a presidentially declared disaster or terroristic or military action, the commissioner may specify one year to be disregarded in determining tax liability if the taxpayer files a petition with the tax tribunal. Assessments must be reviewed under tribunal procedure. A party may appeal the commissioner's finding to the tribunal by filing a petition with the tribunal within 30 days of the decision and otherwise following tribunal procedure. Some provisions related to appeals in superior court do not apply to tribunal appeals.

If a writ of execution is issued for the collection of tax money due to the state, the taxpayer may file a petition with the tribunal to get a determination as to whether the amounts are legally due.

Railroad equipment companies may appeal proposed assessments of public utility assessments with the tribunal according to the tribunal's rules.

Real estate transfer tax refund actions may be brought in the tribunal within 60 days from the claim's denial. Failure to grant or deny a refund claim within one year constitutes constructive discharge. If a refund of intangible recording tax claim is denied, the taxpayer may bring a refund action in the tribunal.

HB 110

Mortgages and liens; vacant property registry; provisions

Rep. Mike Jacobs of the 80th
House Committee on Judiciary

Bill Summary:

Effective July 1, 2012, the bill provides standards for local governments who require by ordinance or resolution vacant real property registries.

It provides for definitions including vacant real property and allows local governments to charge an administrative fee of no more than \$100 which shall reasonably approximate the cost to maintain the registry.

Each registrant will file with a specifically identified office or officer a registration form in paper or electronic format. The registry form will include: real property owner's name, street address, phone/fax number and email address; agent's name, street address, phone/fax number and email address; street address and tax parcel number; transfer date of the instrument that conveyed the real property to the owner; and the recording information of deed book and page numbers of the instrument conveying the property to the owner (when it is available).

The bills allows for an exception that an owner of a foreclosure need not register with a local government if the information is already provided in the Deed in Lieu of Foreclosure or Deed Under Power of Sale. However, a local government may require a vacant or foreclosed real property owner to update within 30 days after any change of information.

HB 110 allows an agent or owner to request removal of the property from the registry at any time the property is no longer vacant. The bill allows the local government 30 days to respond to such request.

A county or municipal corporation may enforce a penalty for noncompliance not to exceed \$1,000. In addition, the local government must provide for administrative procedures including a real property owner's right to appeal.

HB 175

Online Clearinghouse Act; enact

Rep. David Casas of the 103rd
House Committee on Education

Bill Summary:

House Bill 175 relates to the 'Quality Basic Education Act' to enact the 'Online Clearinghouse Act.' This Act is a clearinghouse through which local school systems may offer courses to students of other local school systems virtually through computer based programs. The bill also discusses credits the students shall receive, cost of taking the course, and deadlines.

House Bill 175 also enacts the 'Rachel Sackett Act' under the 'Quality Basic Education Act,' which authorizes public school and public charter school students to participate in extracurricular activities (that are not offered at their current school) at other public schools in their attendance zone.

HB 181 (VETOED)

Special needs scholarship program; waiver one requirement; provide

Rep. Rick Golick of the 34th
House Committee on Education

Bill Summary:

House Bill 181 relates to scholarship programs for special needs students. It states that in the beginning of every year the parent of a student with a disability will be notified that his/her child may be eligible for a Georgia Special Needs Scholarship if they have an Individualized Education Program (IEP).

This bill also provides parents the opportunity to apply to the State School Board for a waiver based on medical circumstances of the one year school enrollment requirement related to the Special Needs Scholarship. Such applications will be considered by the Board on a case-by-case basis according to Board rules and procedures. The Board shall provide an annual report by December 31st of each year through December 31, 2015. House Bill 181 states certain provisions relating to the amount of the scholarship, deadlines and deadlines of payment to parents.

HB 183

General Assembly members; members of Georgia Legislative Retirement System; provisions

**Rep. Howard Maxwell of the 17th
House Committee on Retirement**

Bill Summary:

This bill allows each person who becomes a member of the General Assembly on or after July 1, 2012 to become a member of the Legislative Retirement System (LRS) within two months of taking office. Anyone who is elected to a consecutive term shall have continuous membership from term to term. Also, any member of the General Assembly who previously elected not to become a member may irrevocably elect to join the System. They may obtain creditable service for prior service as a member if they pay the full actuarial cost.

This legislation also addresses retired LRS members who return to work for a "public employer." Under this bill, any public employer that employs a retired plan member shall notify the LRS Board of Trustees within 30 days and indicate the number of hours the employee plans to work annually. Failure to properly notify the trustees will result in liability by the employer or employee for any benefits that are wrongfully paid. This is a fiscal retirement bill.

HB 198

Superior court clerks; real estate or personal property filing fees; extend sunset dates

**Rep. Tom Rice of the 51st
House Committee on Judiciary**

Bill Summary:

House Bill 198 removes the sunset provision for the filing fees for real estate and personal property so that the fees remain the same.

HB 208

Employees' Retirement System of Georgia; define a certain term

**Rep. Howard Maxwell of the 17th
House Committee on Retirement**

Bill Summary:

This bill relates to the employment of a retired teacher as a full-time teacher by changing the date of automatic repeal from June 30, 2016 to June 30, 2013. This is a non-fiscal retirement bill.

HB 215

Drivers' licenses; convicted of crime against a minor; prohibit certain transport

**Rep. Paul Battles of the 15th
House Committee on Motor Vehicles**

Bill Summary:

HB 215 would prevent persons who have been convicted of a crime against a minor child from operating a commercial motor vehicle designed to carry 16 or more people.

HB 237

Residential mortgage fraud; mortgage lending process; revise definition

**Rep. Rich Golick of the 34th
House Committee on Judiciary Non-Civil**

Bill Summary:

This legislation expands the definition of "mortgage lending process" and provides the attorney general and district attorneys with investigative and subpoena powers to enforce the prohibition on mortgage fraud.

Section 1 expands the definition of "mortgage lending process" to include (1) the execution of deeds under the power of sale and (2) the execution of assignments vesting the secured creditor with title to the security instrument.

HB 247

Community Health, Department of; fingerprint and investigate emergency medical services personnel; require

Rep. Jay Neal of the 1st

House Committee on Public Safety & Homeland Security

Bill Summary:

This legislation states that the conviction of a felony while a person is a certified firefighter shall result in the revocation of their certification. Section 2 amends §29-4-18 relating to requirements and termination of temporary medical consent guardianship by adding a new paragraph that gives immunity to any person acting in good faith with a Physician Order for Life-sustaining Treatment. Section 3 allows a court to require a petitioner seeking to become a guardian or conservator to submit to a criminal history check. The petitioner must have fingerprints taken and transmitted to the FBI and the Georgia Crime Information Center for search of records and give the criminal history record information to the court. These records will be used by the court in assessing the suitability of the petitioner for guardian or conservator. Section 4 of the bill states that an applicant for emergency medical services certification may request that the criminal history records check be conducted by state or local law enforcement or by a private vendor approved by the Department of Public Health. The department is required to accept the criminal records check whether the request is made through state or local law enforcement or the department approved private vendor.

HB 250

Georgia Judicial Retirement System; revised survivor's benefit option; provisions

Rep. Tom Weldon of the 3rd

House Committee on Retirement

Bill Summary:

This legislation pertains to the Judicial Retirement System (JRS) and provides that in the event that the amount of benefits paid to a retired member of the JRS or their beneficiary does not equal or exceed the amount of the retired member's contributions, the designated survivor or the member's estate would receive a refund. It also provides that any vested member who had previously rejected spouses' benefits offered through JRS may elect to receive the benefits provided that they pay the full actuarial cost. Finally, this bill revises survivors' benefit options for those who become members of JRS after July 1, 2012. This is a fiscal retirement bill.

HB 253

Public Safety, Department of; sell or trade surplus vehicles; allow

Rep. Doug Collins of the 27th

House Committee on Motor Vehicles

Bill Summary:

HB 253 allows the commissioner of public safety, with the approval of the Board of Public Safety, to sell or trade surplus motor vehicles and use the proceeds of the sale or trade toward the purchase of new motor vehicles.

HB 289

Ad valorem tax exemptions; revise a definition

Rep. Andrew Welch of the 110th

House Committee on Ways & Means

Bill Summary:

This bill affects an update in the property tax brackets in §48-5-40(3)(L) which lists the possible qualification for a Homestead Exemption. Currently, subsection (L) only pertains to Butts County and with the adjustment continues to only affect the same.

HB 295

Georgia State Employees Pension and Savings Plan; transfer of accrued benefit; provide

**Rep. Howard Maxwell of the 17th
House Committee on Retirement**

Bill Summary:

This legislation provides for a method of calculating accrued benefits for public employees who transfer between the Employees' Retirement System and the Teachers Retirement System. This would impact anyone who transferred between systems from January 1, 2009 through June 30, 2012. This is a fiscal retirement bill.

HB 297

Retirement and pensions; public systems prohibited from expending fund for certain purposes; provide

**Rep. Howard Maxwell of the 17th
House Committee on Retirement**

Bill Summary:

This legislation prevents a public retirement system from expending or obligating funds under the control of the retirement system to purchase life insurance on its members unless all benefits are paid to the member's estate or designated beneficiary. This is a non-fiscal retirement bill.

HB 318

Sales and use tax exemptions; donated food for hunger relief; extend

**Rep. Ron Stephens of the 164th
House Committee on Ways & Means**

Bill Summary:

This legislation renews the sales tax exemption for prepared food that is donated to a food bank for the purposes of hunger relief until June 30, 2015.

HB 332

Universal Access Fund; eliminate unnecessary regulation; revise provisions

**Rep. Don Parsons of the 42nd
House Committee on Energy, Utilities & Telecommunications**

Bill Summary:

This legislation amends Georgia Code Section 46-5-167 relating to the Universal Access Fund to prevent local exchange companies from establishing a surcharge on customers' bills without first receiving approval from the Public Service Commission.

Data must be submitted to the commission showing that said surcharge does not result in a net rate increase. Surcharges that are authorized or required by federal or state law are exempt. This legislation goes into effect on January 1, 2013.

HB 334

Sales and use tax exemptions; food and beverages to food bank; extend

**Rep. Ron Stephens of the 164th
House Committee on Ways & Means**

Bill Summary:

This legislation renews the sales tax exemption for food and food ingredients purchased by food banks.

HB 337

Sheriffs' Retirement Fund of Georgia; divorced member option to continue coverage; provisions

**Rep. Gerald Greene of the 149th
House Committee on Retirement**

Bill Summary:

House Bill 337 allows retired members of the Sheriffs' Retirement Fund of Georgia who currently receive spousal benefits to revoke that election in the event of a divorce. If a member remarries at a later time, the member may reinstate spousal benefits. However, the benefit paid would be adjusted based on the age of the member and the member's spouse. This is a fiscal retirement bill.

HB 342

Stalking; family violence order; define

**Rep. Doug McKillip of the 115th
House Committee on Judiciary Non-Civil**

Bill Summary:

The bill expands the definition of a family violence order as used in this section of the Code and allows law enforcement to arrest a perpetrator upon observing a violation of a magistrate's restraining order.

HB 347

Applicant examination; Commissioner not exempt self from written exams; provide

**Rep. Bill Hembree of the 67th
House Committee on Insurance**

Bill Summary:

House Bill 347 establishes the method whereby Georgia will repay a \$700 million loan to the federal government, as well as provide solvency to the Unemployment Insurance Trust Fund. It increases the amount of taxable wages, beginning in 2013, to \$9,500 and reduces the number of benefit weeks from 26 to a sliding scale based on the state's unemployment rate. The scale is 14 weeks if the state's average unemployment rate is at or below 6.5 percent, with an additional weekly amount added for each 0.5 percent increment in the state's average unemployment rate above 6.5 percent. A maximum of 20 weeks is enacted if the unemployment rate equals or exceeds nine percent.

HB 351

Probate Courts Retirement Fund of Georgia; probate court fines and fees; provide

**Rep. Howard Maxwell of the 17th
House Committee on Retirement**

Bill Summary:

HB 351 amends language pertaining to fines and fees collected for the Judges of the Probate Courts Retirement Fund of Georgia. Under this legislation, the judge or clerk of the court collects \$3.00 for each criminal or quasi-criminal case that is heard before a judge of a probate court or state court created on or after July 1, 2011. Previously, the amount collected was based on a scale, but was not to exceed \$2.50. This is a non-fiscal retirement bill.

HB 372

Bonds; release unclaimed bonds one year after surety released; provide

**Rep. Stephen Allison of the 8th
House Committee on Judiciary Non-Civil**

Bill Summary:

The bill changes the provisions relating to disposal of unclaimed bonds. A surety must claim a cash bond on the date of disposition of the case by the prosecutor of the court, or HB 372 allows the surety to bring the claim within one year from the date the surety is released from liability. Otherwise, the funds are released into the general fund of the county having trial venue of the case.

HB 386

Revenue and taxation; revenue structure; comprehensive revision

Rep. Mickey Channell of the 116th

House Committee on Special Joint Committee on Georgia Revenue Structure

Bill Summary:

Part I, Motor Vehicle Tax Reform, removes the sales tax on the purchase of motor vehicles and the ad valorem tax on the same motor vehicles, and replaces these taxes with a one-time title fee which is calculated by multiplying the value of the motor vehicle times a title fee rate of 7 percent by 2015 (6.5 percent in 2013 and 6.75 percent in 2014). The funds collected from this fee are divided between the state and local governments, with the local governments guaranteed a base amount plus 2 percent growth per year for 10 years. Motor vehicles titled prior to March 1, 2013 will continue to pay ad valorem taxes until sold or transferred; however, motor vehicles purchased will have the ability to “opt in” to the new title fee system in 2013. The bill provides for the following exceptions:

- Salvage titles will be subject to a 1 percent title fee only.
- Motor vehicles purchased by car rental companies will pay a 1.5 percent title fee because they are collecting sales taxes on the rental/lease of the vehicles. They do not currently pay sales tax on the purchase of the vehicles.
- Persons who must have vehicles re-titled in their names upon the death of, or transfer from, an immediate family member pay a .25 percent title fee to change the title if the vehicle is already on the new title fee system. If the vehicle was still on the ad valorem system, they may choose to either stay on the ad valorem system or pay the new title fee and enter the vehicle in the new title fee system (no more ad valorem taxes on that vehicle). (\$25 per \$10,000 of Fair Market Value)
- Persons moving into Georgia will be required to pay 50 percent of the title fee upon moving into the state, and will have 12 months after that to pay the remaining 50 percent.
- This title fee will not apply to corrected titles, replacement titles, or titles reissued to the same owner which reflect satisfaction of liens.
- Motor vehicles owned or leased by or to the state or any county, consolidated government, municipality, county or independent school district, or other government entity in this state shall not be subject to the new title fee; provided that such government entity must be exempt from ad valorem tax and sales and use tax under general law.
- Disabled veterans, Purple Heart recipients, and former prisoners of war who have vehicles that are exempt from ad valorem taxes will be exempt from the new title fees.

Part II of the bill makes income tax revisions. In Section 2-1, it reduces income taxes for married couples to begin elimination of the “marriage penalty” in the income tax Code. Currently, married couples reach the 6 percent tax rate at \$14,000 of income, while single taxpayers reach 6 percent at \$10,000 of income. To reduce this inequity, this bill increases the personal exemption for all married taxpayers filing jointly from \$5,400 to \$7,400 and for each spouse filing separately from \$2,700 to \$3,700, which is an increase of \$2,000 per married couple.

Section 2-2 freezes the retirement income exclusion for income tax purposes at the current \$65,000 level with married couples to get \$130,000 of retirement income exempted. Social security is also exempt. This will not increase income taxes on seniors; it simply eliminates the increase in the exclusion set to begin January 1, 2013. About 14,000 filers have retirement income above the current exclusion amount.

Part III contains Conservation Easement Credit revisions. Sections 3-1 and 3-2 revise the income tax credit for donations of land for conservation purposes. The bill tightens up acceptable “conservation purposes”, limits the transferability of these credits to one transfer, and lowers the partnership cap on the credit from \$1 million down to \$500,000, which is the same as the corporate credit cap. It also imposes application fees for the program.

Part IV eliminates the sales tax exemption on sales or leases of production equipment or services by film producers. The 30 percent film income tax credit will remain intact.

Part V addresses manufacturing and agriculture exemptions. Section 5-1 repeals the current agricultural and manufacturing sales tax exemptions that are being replaced by new exemption language in Sections 5-2 (manufacturing and mining) and 5-3 (agriculture).

Section 5-2 codifies existing regulations regarding the integrated plant theory sales and use tax exemption for manufacturers, which includes exemptions for machinery and equipment, raw materials, and consumable supplies. It also provides for a new exemption for energy used in manufacturing and mining, which will be an exemption from state and local sales taxes except for the 1 percent local sales tax for education. This new exemption will be phased in over four years beginning January 1, 2013. The energy exemption will not apply to manufacturers that are primarily engaged in producing electricity for resale (power companies).

Section 5-3 replaces current sales tax exemption language on agriculture producers on 1) inputs such as seed and fertilizer, 2) energy, and 3) machinery and equipment with cleaner exemption language, and also expands the exemptions to eradicate inconsistencies in such current exemptions. (Example: fuel used to heat structures where dairy cows are housed is exempt, but not fuel used to heat poultry houses or swine houses, etc.).

This section also defines “qualified agriculture producer” for purposes of a new certificate program intended to prevent abuse of the agriculture sales and use tax exemptions. To qualify for the exemptions, a taxpayer must apply to the commissioner of agriculture for a certificate. To qualify for such certificate, such producer must prove they are legitimately in the farming business.

Section 5-4 enables an energy excise tax and allows local governments to impose an excise tax on energy purchases to ensure they may collect the same revenues they were receiving from the sales tax on energy. They can impose this excise tax initially by ordinance, but if future sales tax referendums fail, then the excise tax intended to replace such sales tax revenue would be eliminated as well. The revenues from this excise tax will be distributed in the same manner as the local sales taxes for which these revenues are intended to replace.

Section 5-5 provides for a sales tax exemption on construction materials for certain regionally significant projects. The exemption will apply to state and local sales and use tax. The commissioner of economic development will determine if the project has a significant regional impact. This provision will have a sunset.

Section 5-6 exempts airlines from 1 of the 4 percent state sales and use tax on jet fuel purchases made at Georgia airports.

Section 5-7 institutes an application fee for the qualified agriculture producer sales tax exemption certificate in Section 5-3 for an amount not less than \$15 but not more than \$25. The fee cannot exceed the cost of administering the certificate program.

Part VI contains provisions for E-fairness and state sales tax holidays. In Section 6-1, out-of-state retailers that have nexus in Georgia by use of affiliates in Georgia or that use “click through” marketing affiliates in Georgia must collect Georgia sales tax on purchases made by Georgia residents. There is an exception in the legislation for those agreements where the gross sales from referrals by “click-through” affiliates are under \$50,000 annually. There is also an exception for those sellers that come into Georgia solely for trade show purposes up to a maximum of five days.

Section 6-2 reinstates the annual sales tax holidays in Georgia for 2012 and 2013, to include the "Back To School" holiday, which exempts computers and computer accessories, clothing, and school supplies, as well as the “Energy Star” and “Water Sense” holidays on energy-efficient and water-efficient appliances.

HB 397

State government; open meetings and records; revise provisions

**Rep. Jay Powell of the 171st
House Committee on Judiciary**

Bill Summary:

House Bill 397 is a comprehensive overhaul of the “Open Meetings Act.” The majority of the bill is a rewrite to make the act more user-friendly. A small percentage of the bill is substantive change to incorporate court decisions and address current areas of abuse.

This legislation clarifies the definition of a “meeting.” A meeting does not include a gathering of less than a quorum unless smaller groups meet with the intent of circumventing the law. A meeting does not include property inspections, seminars, state or federal meetings, or social occasions absent an intent to evade or avoid the law. Under this legislation, all final votes must be taken in an open session. If an action is taken during an illegal meeting, a suit to void that action may be brought within six months.

Likewise, this legislation defines “executive sessions” as portions of meetings lawfully closed to the public. Such sessions are permitted during discussions of the disposal or lease of real estate. In an executive session, the members are allowed to vote on a number of issues, including real estate decisions and settlements for which the attorney-client privilege applies. Finalists for executive offices may be interviewed in executive sessions. Discussion of exempt portions of records may occur in executive sessions if there is no reasonable means to hear the record without disclosing the exempt portions.

The bill limits the use of meetings by telephone for local governments by only allowing teleconference meetings during an emergency. In other circumstances, a member may teleconference if he or she has a health reason for not attending the meeting in person, but may teleconference no more than twice a year.

Open Records

The public policy of the state is in favor of open government, and public access to records is encouraged. There is a presumption that public records may be available for inspection immediately, and the law regarding this should be broadly construed. Exceptions to this policy should be interpreted narrowly.

Data and data fields are now considered to be "records." An agency may designate an open records officer to whom requests should be directed. Fees for copying records are reduced from \$.25 per page to \$.10 per page. An agency may charge for records even if they are not retrieved. The bill provides procedures for agencies in cases where the cost of producing records is over \$25 or over \$500.

Requests for records may be oral or written, but only written requests are subject to criminal and civil enforcement proceedings and penalties. Requests for emails or electronic messages should be as detailed as possible.

The exemptions from disclosure are clarified. The attorney-client privilege is broadened, but does not include factual findings related to an investigation conducted by an attorney on behalf of the agency in some cases. Likewise, attorney work product is exempted from disclosure requirements, but does not extend to factual findings.

Violations of the open records and open meetings provisions are essentially the same. The bill increases fines for violations of open records or meetings by imposing a maximum fine of \$1,000 for the first violation and \$2,500 for additional violations made within one year. Fines may be imposed in both civil and criminal proceedings, although only knowing and willful violations will lead to fines or criminal convictions. There is no good faith defense for civil penalties.

HB 398

Fulton County; Board of Education pensions and retirement; correct typographical errors

Rep. Virgil Fludd of the 66th

House Committee on Intragovernmental Coordination

Bill Summary:

A Bill to amend the act providing a retirement system for the Fulton County Board of Education to correct typographical errors and to comply with the 'Federal Uniformed Services Employment and Reemployment Rights Act of 1994' and the federal 'Heroes Earnings Assistance and Relief Tax Act of 2008.'

HB 407

Payment of taxes; population bracket under 2010 census; update

Rep. Sam Teasley of the 38th

House Committee on Ways & Means

Bill Summary:

This legislation updates two sets of property brackets in §48-5-24 in subsections (b) and (e). This is to ensure that the property tax penalty for late payment established in subsection (b) of the code continues to only affect DeKalb County. Additionally, the penalty for late payment of property taxes located in subsection (e) of the code will continue to only affect Cobb County.

HB 409

Veterinarians; application for license; revise provisions

Rep. Gene Maddox of the 172nd

House Committee on Agriculture & Consumer Affairs

Bill Summary:

House Bill 409 deals with graduates of an accredited college or school of veterinary medicine or students that possess an Educational Commission for Foreign Veterinary Graduates' certificate, and it removes the board needing to approve the individuals to take the exam. This removes the board having to approve the individuals twice.

HB 419

Foreclosure; time of delivery of notice of proceedings; change

**Rep. Billy Mitchell of the 88th
House Committee on Judiciary**

Bill Summary:

The bill provides a consumer with an absolute right to bring their mortgage up to date if they pay all past due payments along with any late fees or attorney's fees. Current law requires permission from the lender in order to do this. The creditor may require that payment be made by cash, money order, electronic funds transfer, or certified check.

HB 424

Superior Court Clerks' Retirement Fund; death benefit for members; provide

**Rep. Tom Weldon of the 3rd
House Committee on Retirement**

Bill Summary:

House Bill 424 expands the \$5,000 death benefit provided through the Superior Court Clerks' Retirement Fund. Currently a benefit is only paid to a member's beneficiary if the member dies in service. This legislation would extend the benefit to any active or retired member who dies. This is a fiscal retirement bill.

HB 434

Social workers; requirements for licensure; revise provisions

**Rep. Katie Dempsey of the 13th
House Committee on Health & Human Services**

Bill Summary:

This bill relates to the definition and to the licensure of social work. The bill will replace the term "determinations" with "diagnoses."

HB 450

Setoff debt collection; debts owed to public housing authorities; authorize

**Rep. Chuck Sims of the 169th
House Committee on Ways & Means**

Bill Summary:

This legislation allows for public housing authorities to be included within the agencies allowed to collect bad debts through the setoff debt collection process set forth in §48-7-160 et. seq. HB 450 provides for numerous due process steps that any authority must meet in order for the Department of Revenue to collect such a debt, in addition to an appeals process that is provided for after the debt has been collected. Furthermore, the legislation requires that the list of names to be provided to the Department of Revenue must be gathered into one file and transmitted to the department.

HB 456 (VETOED)

Georgia Government Accountability Act; enact

**Rep. Charlice Byrd of the 20th
House Committee on Budget and Fiscal Affairs Oversight**

Bill Summary:

House Bill 456 creates the 'Georgia Government Accountability Act' to establish a review process of agency efficiency. The bill creates the Legislative Sunset Advisory Committee (the "Committee") consisting of seven members from each chamber to serve concurrent with the legislative biennium. The speaker of the House and the president of the Senate appoint the members, to include one of the governor's floor leaders from each chamber, and each designates a co-chair. At least one of the appointees of both the speaker of the House and the president of the Senate must be a member of the minority party.

The co-chairs shall be authorized to appoint no more than two ex-officio members of the committee. The committee, in cooperation with the governor's office, may employ staff to perform the work of the committee. The Committee's co-chairs are authorized to request assistance from any agency or office, which will comply. Agencies must make available to the committee and its staff any documentation subject to public record for inspection or duplication within three days of the request.

The purpose of the Committee is to routinely schedule the review of all state agencies and executive branch subsidiaries that receive funds through a state appropriations Act. The Committee shall establish a schedule for the routine reviews. This article shall not apply to any state entity that does not receive a state appropriation.

If the Committee recommends the abolishment of an agency, it will be terminated one year from when the recommendation is made as long as the responsibilities and obligations, fiduciary or otherwise, are repealed, revised or reassigned by the General Assembly. In the absence of legislative action, the abolished agency will submit its budget request with the committee's recommended actions represented.

Those entities established in the State Constitution shall not be subject to automatic abolishment. The Committee will follow the same review process with the additional step of providing any Constitutional amendments needed to repeal or transfer its obligations. Those agencies which have not met publicly for a year or more may be abolished without further review. The committee shall give public notice of any proposed legislation not later than the first day of December of the year preceding its introduction. The abolition of a state agency shall not affect any rights, penalties, liabilities or proceedings that were begun before the abolition.

At least six months before a scheduled evaluation, the agency must provide to the Committee a list of: programs and services provided with goals; expenditures; explanation of failed objectives; level of public participation in rule-making; statutory objectives for each program and activity and extent to which objectives have been achieved; assessment of potential duplications across state departments and the extent to which those programs can be eliminated, reorganized, privatized or consolidated with another agency; self-assessment for improvements and processes for attainment; budget needs for meeting objectives; statutory change recommendations; effect on federal funds and requirements if abolished; alternative methods for providing services for greater efficiencies; assessment of the agency and programs and which should be eliminated, reorganized, privatized or consolidated; 5-year hiring patterns; deficiency correction plans related to judicial or audited problems; justification for all committees and boards associated with the agency; a list of activities not called for in Code; any program audits, performance audits or any other reports by the state auditor; summary of all litigation in which the agency is engaged; and any other information requested by the Committee. The report must be validated by the agency director before submission.

The Committee has six months to review the report, which may include consultations, testimonials and public hearings with interested parties. The Committee will present its findings to the speaker of the House, the president of the Senate and the governor, and base its recommendation for ongoing operations based on: efficiencies, achievement of objectives; effectiveness; need; alternatives available for providing the regulatory function the agency is responsible for; reductions of duplication; statutory update needs; customer service and involvement; level of satisfied requirements; performance measures; the extent to which the agency is deemed to be a core function of state government per the Constitution; impact of federal intervention or loss of federal funds if agency is abolished, and change to the O.C.G.A. to enable compliance with the agency's mission. The report will recommend action for the elimination, privatization, abolishment, continuation or reorganization of the agency and/or its programs, as well as draft legislation to fulfill those recommendations.

HB 463

Limited licenses; insurance coverage on self-service storage; provide

**Rep. Matt Dollar of the 45th
House Committee on Insurance**

Bill Summary:

House Bill 463 provides for the sale of individual insurance coverage by limited licensees on personal property stored in self-service storage facilities. A limited licensee shall be authorized to act as an agent for an insurer only in connection with a rental agreement and only for either an individual policy issued to an individual occupant or as a group policy for occupants for personal property insurance.

HB 472

Brewpub distribution system; maximum barrels of beer manufactured and sold; increase

**Rep. Richard Smith of the 131st
House Committee on Regulated Industries**

Bill Summary:

House Bill 472 amends Title 3 of the Official Code of Georgia Annotated, as it relates to the alcoholic beverages. The definition of "Brewpub" is amended by providing that barrels of beer sold to licensed wholesale dealers for distribution to retailers and retail consumption dealers not be used when determining the total gross food and beverage sales.

In Section 2, Code Section 3-5-36 paragraph (5) relating to the brewpub exception to the three-tier distribution system is amended to allow brewpubs to manufacture not more than 10,000 barrels of beer in a calendar year and remove the requirement that the beer be "solely in draft form." The bill also allows brewpubs to sell up to a maximum of 5,000 barrels of beer to wholesale dealers annually.

HB 475

Development Authorities Law; include facilities owned by public or private entity; amend definition

**Rep. Jay Powell of the 171st
House Committee on Economic Development & Tourism**

Bill Summary:

House Bill 475 amends the Development Authorities Law to expand the definition of the term "project" to include facilities owned by a public or private entity or a combination of the two for the purposes of trade, commerce, industry, or employment opportunities. The term "project" includes highway facilities, surface transportation projects, and projects that are related to surface, overhead, or underground transportation. The authority will determine and apply the definition of project each particular facility falls into without review. Further, the authority is granted the ability to issue bonds to construct, purchase, acquire, or equip a project for the purpose of leasing or selling it.

HB 477

Insurance; transition from annual to biennial license renewal; provide

**Rep. Jason Shaw of the 176th
House Committee on Insurance**

Bill Summary:

House Bill 477 provides for the transition from an annual to a biennial renewal of licenses of agents, agencies, subagents, counselors, and adjusters and provide for adjustment of licensing fees as necessary to accommodate biennial licensing.

HB 481

Braselton, Town of; initial terms of office for board members; correct

**Rep. Tommy Benton of the 31st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to amend the Act which created community improvement districts in the Town of Braselton so as to correct the initial terms of office for board members.

HB 513

Life insurance; group life insurance policy to approved groups; allow issuance

**Rep. Jason Shaw of the 176th
House Committee on Insurance**

Bill Summary:

House Bill 513 allows the issuance of a group life insurance policy to certain groups as approved by the commissioner that do not otherwise qualify as a group. Further, it removes the participation requirement before the extension of group life policy coverage to dependents of employees or members.

HB 514

Distilled spirits; free tastings on premises; authorize

**Rep. E. Culver "Rusty" Kidd of the 141st
House Committee on Regulated Industries**

Bill Summary:

House Bill 514 amends Title 3 of the Official Code of Georgia Annotated, as it relates to distilled spirits. Code Section 3-4-180 is added and provides the definitions of "free tastings" and "sample", as well as establishes the permitting authority of the commissioner, and the requirements of the distiller conducting tastings. "Free tastings" means the provision of complimentary samples of distilled spirits to the public for consumption on the premises of a distiller. "Sample" means one-half of one ounce of distilled spirits.

The commissioner shall, upon proper application, issue an annual permit to any distiller licensed in the state authorizing such distiller to conduct educational and promotional distillery tours which may include free tastings by members of the public of tax-paid varieties of distilled spirits manufactured by such distiller.

No distiller conducting free tastings under this Code section shall provide, directly or indirectly, more than the one sample to a person in one calendar day. Free tastings shall be held in a designated tasting area on the premises of the distiller and all open bottles shall be visible at all times.

HB 520

Energy purchase; amount of energy provider is required to purchase from generator; change

**Rep. Don Parsons of the 42nd
House Committee on Energy, Utilities & Telecommunications**

Bill Summary:

This legislation changes the required amount of energy an electric service provider purchases from eligible customers. An electric service provider shall only be required to purchase energy from an eligible customer on a first-come, first-serve basis until the cumulative generating capacity of all renewable energy sources equals 2.5 percent of the utility's annual peak demand in the previous year. This is an increase from the .2 percent under existing law; however, said providers are not required to purchase energy at a price above avoided energy cost unless it is part of a renewable energy program.

HB 534

Eligibility requirements; probate court clerks; modify provisions

**Rep. Carol Fullerton of the 151st
House Committee on Judiciary**

Bill Summary:

House Bill 534 modifies the eligibility requirements for judges of probate courts. It lowers the population requirement per county from 96,000 to 90,000.

HB 535

War veterans homes; Veterans Service Board establish residency fee; authorize

**Rep. Mary Oliver of the 83rd
House Committee on Defense & Veterans Affairs**

Bill Summary:

HB 535 adds language to Part 2 of Article 2 of Chapter 4 of the O.C.G.A. relating to war veterans' homes to include language that authorizes the Veterans Service Board to provide for a reasonable fee for residency and services provided by a facility of the Georgia State War Veterans' Home. In addition, the Department of Veterans Service is authorized to receive the assignment of any state or federal benefit including aid and attendance benefits paid by the United States Department of Veterans Affairs.

HB 541

Obstruction of public administration; threaten or intimidate officer or official; provide for offense

**Rep. James Epps of the 140th
House Committee on Judiciary Non-Civil**

Bill Summary:

House Bill 541 prohibits intimidation of law enforcement officers or their immediate family members in retaliation to the officer's actions in carrying out his or her official duties. The penalty for doing so is a misdemeanor.

HB 542

Employees' Retirement System of Georgia; transfer service credit; provide

**Rep. Jay Powell of the 171st
House Committee on Retirement**

Bill Summary:

House Bill 542 provides that any member of the Employees' Retirement System (ERS) who was previously a member of the Judicial Retirement System (JRS) may elect to have all contributions made by the employer and the employee transferred to ERS. Notification must be made to the board of trustees by December 31, 2012. The member shall receive creditable service, not to exceed the actual years of prior service, based on the actual amount transferred or paid so as not to create any liability on the retirement system. This is a fiscal retirement bill.

HB 548

Workers' compensation; parties to franchise agreement not considered employees; provide

**Rep. Charles Martin of the 47th
House Committee on Industrial Relations**

Bill Summary:

House Bill 548 provides that individuals who are parties to a franchise agreement as set out by the Federal Trade Commission franchise disclosure rule, 16 C.F.R. 436.1 through 436.11, shall not be deemed employees for purposes of workers' compensation.

HB 571

McIntyre, Town of; incorporate; grant new charter

**Rep. James Epps of the 140th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a new charter for the Town of McIntyre.

HB 572

Twiggs County; Board of Education member compensation; change provisions

**Rep. James Epps of the 140th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide compensation to the members of the Twiggs County Board of Education.

HB 604

Lower Chattahoochee Regional Transportation Authority Act; enact

**Rep. Bob Hanner of the 148th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to create the Lower Chattahoochee Regional Transportation Authority consisting of Quitman, Stewart, and Randolph Counties and to provide for its powers and duties.

HB 614

Polk County; ad valorem tax for county purposes; provide exemption

**Rep. Rick Crawford of the 16th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a homestead exemption from Polk County ad valorem taxes for county purposes in an amount that will increase in certain years when the current year assessed value of a homestead exceeds the preceding year's assessed value of such homestead by a certain amount under certain conditions.

HB 615

Polk County; ad valorem tax for county purposes; provide exemption

**Rep. Rick Crawford of the 16th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a homestead exemption from Polk County ad valorem taxes for county purposes in the amount of \$30,000.00 of the assessed value of the homestead for certain residents of Polk County who are 70 years of age or older with net annual household income of \$10,000.00 or less.

HB 616

Polk County; ad valorem tax; educational purposes; provide exemption

**Rep. Rick Crawford of the 16th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a homestead exemption from Polk County school district ad valorem taxes for educational purposes in the amount of \$30,000.00 of the assessed value of the homestead for certain residents of that school district who are 70 years of age or older with net annual household income of \$10,000.00 or less.

HB 617

Polk County; ad valorem tax; educational purposes; provide exemption

**Rep. Rick Crawford of the 16th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a homestead exemption from Polk County school district ad valorem taxes for educational purposes in an amount that will increase in certain years when the current year assessed value of a homestead by a certain amount exceeds the preceding year's assessed value of such homestead under certain conditions.

HB 628

Coolidge, City of; time of municipal elections; change provisions

Rep. Darlene Taylor of the 173rd
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to establish the time for holding municipal elections in the City of Coolidge.

HB 634

Ad valorem tax; population brackets and census; change provisions

Rep. Donna Sheldon of the 105th
House Committee on Ways & Means

Bill Summary:

This legislation adjusts the population brackets in §48-5-24(c)(1). In doing so, the act continues to only affect Fulton County, and does not affect Gwinnett County which has a population that would now be covered under the act. Additionally, the legislation updates two sets of property brackets in §48-5-24 in subsections (b) and (e) to ensure that the property tax penalty for late payment established in subsection (b) of the Code continues to only affect DeKalb County and the penalty for late payment of property taxes located in subsection (e) of the Code will continue to only affect Cobb County. Finally, the legislation affects the updates of the property tax brackets in §48-5-40(3)(L) which lists the possible qualification for a Homestead Exemption. Currently, subsection (L) only pertains to Butts County and with the adjustment continues to only affect the same.

HB 635

Macon Water Commissioners - Pension Plan; change provisions

Rep. David Lucas of the 139th
House Committee on Retirement

Bill Summary:

House Bill 635 amends provisions relating to the Macon Water Commissioners Pension Plan. This bill excludes individuals whose hire date is on or after July 1, 2012 and it gives existing participants the ability to participate in a new plan established by the board. The bill also changes the definition of "final average monthly compensation" used to calculate benefits and it amends the definition of "disability" to exclude disabilities that are self-inflicted or that occurred while committing a crime. This is a fiscal retirement bill.

HB 636

Brookhaven, City of; provide a charter

Rep. Mike Jacobs of the 80th
House Committee on Governmental Affairs

Bill Summary:

HB 636 provides for a public referendum for the incorporation of the city of Brookhaven. Further, it contains the proposed charter for the city.

HB 638

Randolph County; board of elections and registration; create

Rep. Gerald E Greene of the 149th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to create the Randolph County Board of Elections and Registration and to provide for its powers and duties.

HB 640

Insolvent insurers; claimants rights; correct certain language

**Rep. Carl Rogers of the 26th
House Committee on Insurance**

Bill Summary:

House Bill 640 simply corrects language in O.C.G.A. 33-36-14 that was accidentally omitted by a drafting error.

HB 641

Courts; juvenile proceedings; substantially revise provisions

**Rep. Wendell Willard of the 49th
House Committee on Judiciary**

Bill Summary:

'The Child Protection and Public Safety Act' is a comprehensive revision of the Georgia Code's juvenile court provisions, which govern the state's response to children and their families in case of abuse, neglect, violations of the law by children, and other circumstances requiring court intervention.

Article 1 (General Provisions)

Article 1 provides general definitions and principles that would apply in all juvenile court code proceedings. The Act redefines key terms, clarifies the child's right to be present at court proceedings, allows the court to refer cases to mediation, specifies the factors the court should consider when evaluating the "best interests of the child," and prohibits children under the juvenile court's jurisdiction from being confined in adult criminal detention facilities.

Article 2 (Juvenile Court Administration)

Article 2 governs the creation and administration of juvenile courts and the appointment of judges. The Act contains few substantive changes from current law.

Article 3 (Dependency)

Article 3 relates to cases involving children who have been abused or neglected by adults responsible for their well-being. The Act stresses the child's relationship with the court and provides consistency with national standards. It also clarifies the roles and responsibilities of those who represent the child in court.

Article 4 (Termination of Parental Rights)

Article 4 governs cases involving a petition to involuntarily terminate the rights of a parent to the custody and control of a child because the parent is unable to safely and adequately care for the child. The Act clarifies important rights and procedures in this process.

Article 5 (Independent Living Services)

Article 5 creates a completely new set of provisions to ensure that dependent children in foster care are given the opportunity and assistance they need to plan for their futures, learn necessary skills for independence and get off to a good start in their adult lives.

Article 6 (Children in Need of Services)

Article 6 creates a new approach for intervening with children who are currently considered "unruly." This includes children who have committed an act that would not be against the law but for the fact that they are children, such as skipping school, running away from home, and violating curfew. It also includes children who are "habitually disobedient" to their parents and whose behavior places themselves or others in unsafe circumstances. The Act creates a more holistic, service-oriented approach to these cases.

Article 7 (Delinquency)

Article 7 relates to cases involving children who have committed acts that would be crimes if the children were adults. The Act reorganizes and clarifies the delinquency provisions of current law.

Article 8 (Competency in Delinquency Cases)

Article 8 governs the way courts determine whether a child is competent to participate in delinquency proceedings, and how the court responds to a child who is not competent. Competency is important because due process requires that people not be subjected to the possible loss of their liberty in criminal or delinquency cases. A child is considered competent when they understand the charges and the legal proceedings and have the capacity to effectively assist their attorney in their defense. The Act revises current law regarding the determination of competency in juvenile proceedings.

Article 9 (Parental Notification)

Article 9 renumbers, but does not change, provisions of current law requiring notification of parents when people under the age of 18 seek abortions.

Article 10 (Access to Hearings and Records)

Article 10 governs access to hearing and records in juvenile proceedings. For the most part, the Act maintains the current level of confidentiality.

Article 11 (Emancipation)

Article 11 relates to the process by which a child becomes a legal adult. Emancipation releases parents from their obligations and rights to the child. The Act renumbers (but does not change) current law.

Article 12 (Child Advocate for the Protection of Children)

Article 12 renumbers, but does not change, provisions of current law establishing and governing the Office of the Child Advocate.

Article 13 (Georgia Juvenile Code Commission)

Article 13 creates a 13-member commission granted with the responsibility of studying and collecting information and data relating to the efficacy of this chapter, current best practices in the field of juvenile law, and all matters relevant to maintaining an effective and efficient Juvenile Code that will promote public safety and serve the best interests of Georgia's children.

HB 642

Georgia Services Administration; create; revise several Titles

Rep. Doug Collins of the 27th
House Committee on Governmental Affairs

Bill Summary:

House Bill 642 abolishes the office of State Personnel Administration and relocates its duties to the Department of Administrative Services.

HB 648

Legal services for indigents; certain fees to fund accused; change provisions

Rep. Rich Golick of the 34th
House Committee on Judiciary Non-Civil

Bill Summary:

House Bill 648 establishes the statutory framework to dedicate funding for the Georgia Public Defender Standards Council which is charged with the power and authority to provide legal services for indigent persons accused of crimes and delinquent acts. HB 648 is subject to the passage and ratification of a constitutional amendment proposed in HR 977.

HB 651

Charter system earnings; full-time equivalent student; repeal

Rep. Howard Maxwell of the 17th
House Committee on Education

Bill Summary:

House Bill 651 relates to elementary and secondary education and repeals the Code section dealing with additional charter system earnings for each full-time equivalent student.

HB 665

Clerk of superior court offices; modernize provisions

Rep. Billy Maddox of the 127th
House Committee on Judiciary

Bill Summary:

House Bill 665 modernizes the provisions of the Georgia Code with respect to the duties and functions of the Superior Court Clerks.

It provides for modern technological advances in electronic record keeping, allows superior court clerks to serve as clerks in other courts, increases the bond required by a clerk of court, changes provisions relating to the selection of the clerk of court when a vacancy occurs and the process for removal of clerks.

HB 665 also includes language from HB 763, which provides cleanup language for last year's HB 415, which was the Jury Composition bill. This bill reinserts language of the prior Code which was inadvertently deleted in HB 415. For instance, it prevents felons from serving as juries as well as 16- and 17-year-olds.

HB 675

Nurses; approved nursing education programs; revise definitions

**Rep. Sharon Cooper of the 41st
House Committee on Health & Human Services**

Bill Summary:

House Bill 675 revises the approved nursing education program criteria. The bill gives the Georgia Nursing Board the ability to make determinations about nursing programs not within the Georgia University System or Technical College System of Georgia but programs that are accredited by the United States Department of Education or programs whose curriculum meets the same stringent criteria established by the Board.

HB 681

Food sales and service establishments; revise definitions; exempt certain activities

**Rep. Pam Dickerson of the 95th
House Committee on Agriculture & Consumer Affairs**

Bill Summary:

The purpose of this bill is to allow public and private schools, as well as nonprofit entities to conduct food-tasting events without the participating licensed restaurants and food vendors being required to submit the standard 28-page application 30 days prior to the event. The burdensome application paperwork and timeline of such a requirement limit the pool of participants and thus hampers the fundraising activities of these schools and nonprofit entities, which include groups such as FFA and 4-H.

HB 683

Garnishment proceedings; filing of certain answers may be done by authorized officers or employees; provisions

**Rep. Wendell Willard of the 49th
House Committee on Judiciary**

Background:

On September 12, 2011, the Supreme Court of Georgia approved Unauthorized Practice of Law Committee Advisory Opinion 2010-1, which concludes that "a non-lawyer who answers for a garnishee other than himself in a legal proceeding pending with a Georgia court of record is engaged in the unlicensed practice of law." The State Bar Executive Committee filed a brief suggesting that a change in court rules might remedy what appeared to be an impracticable result. Justice Nahmias filed a concurrence suggesting that legislation rather than court rules may be required to allow businesses and institutions to resume the business practice of having non-lawyer personnel fill out large numbers of garnishment response forms.

Bill Summary:

HB 683 addresses the garnishment issue by clarifying that the "garnishee answer" is not to be considered an answer or a civil pleading under the 'Civil Practice Act.' Therefore, when an entity is a garnishee under the chapter, the entity's authorized officer or employee does not have to be an attorney to file the garnishee answer. If a traverse or claim is filed to the entity's answer, the entity would then be required to hire an attorney in further garnishment proceedings.

HB 683 also clarifies service of summons of garnishment on corporations in accordance with the 'Civil Practice Act' and §9-11-4. Finally, it raises the cap of what a garnishee may receive for actual reasonable expenses in answering a garnishment from \$50 to \$100.

HB 684

Natural Resources, Department of; transfer certain responsibilities for state parks to local governing authorities; authorize

**Rep. Debbie Buckner of the 130th
House Committee on Game, Fish, & Parks**

Bill Summary:

House Bill 684 creates a new Code Section 12-3-35 of the O.C.G.A. relating to state parks and recreational areas.

- a.) The term "change in services" is defined to mean the closing of a state park or recreational area or a significant reduction in the hours of operation or services offered at the indicated state park. This condition applies to instances where such a reduction is likely to lead to fewer visitors to the state park or recreational area.
- b.) States that the governing authority of each municipality and county, where the state park or recreational area is located, shall be notified in writing at least 60 days prior to the Board of Natural Resources voting on such a proposed change or at least 60 days prior to the department implementing the change, whichever occurs first.
- c.) The department is authorized to enter into a memorandum of agreement with the local governing authority in which the state park or recreational area is located for the purpose of transferring control, operating, and management responsibilities for, or within, a state park or recreational area. This transfer of total or partial management responsibilities provided for under this Code section shall occur only upon the Board of Natural Resources or the local governing authority finding that such a transfer is in the best interest of the public.
- d.) The department shall, at the request of the local governing authority, submit a request and recommendation in writing to each member of the Board of Natural Resources for the Board's consideration of the transfer of stated total or partial management responsibilities for a state park or recreational area. The Board shall make the final determination regarding each request for transfer.

HB 685

Dogs; dangerous and vicious; extensively revise provisions

**Rep. Gene Maddox of the 172nd
House Committee on Judiciary Non-Civil**

Bill Summary:

House Bill 685 redefines the dog classifications of a dangerous dog, potentially dangerous dog and vicious dog. The bill requires registration for possession of a vicious dog and a microchip ID; provides court order for euthanasia of dogs that have bitten humans more than once; prohibits ownership of more than one vicious dog; and prohibits felons from ownership of certain dogs. Failure to comply makes an owner guilty of a misdemeanor in a high and aggravated nature.

The bill provides for exemptions for law enforcement or military dogs, hunting dogs and a dog that attacks a trespasser.

HB 687

Alarm monitoring service companies; utilize alarm verification; provisions

**Rep. Tom Taylor of the 79th
House Committee on Public Safety & Homeland Security**

Bill Summary:

This legislation requires an alarm monitoring company to use a second contact for alarm verification. If no contact is made on the first attempt in the event of a false alarm, the dispatched law enforcement can disregard and continue on with his or her duty. There is an exemption for fire alarms. No second verification call will be required in the event that there is a fire alarm, panic, robbery-in-progress, or crime-in-progress which has been verified to be true by video or audible means.

HB 690

Coweta County; board of commissioners; revise districts

**Rep. Lynn Smith of the 70th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Coweta County Board of Commissioners.

HB 692

Educational professionals; reduce salary if test scores were falsified; provide

**Rep. Billy Mitchell of the 88th
House Committee on Education**

Bill Summary:

House Bill 692 relates to elementary and secondary education and provides for an automatic decrease in the salary of a teacher or other certified professional personnel for any salary increase or bonus on the results of standardized test scores which were falsified.

HB 693

Screven County; board of commissioners; provide member elections

**Rep. Jon Burns of the 157th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Screven County Board of Commissioners.

HB 694

Coweta County; board of education; change description of districts

**Rep. Lynn Smith of the 70th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Coweta County Board of Education.

HB 700

Effingham County; Board of Education; correct dates of certain elections

**Rep. Ann Purcell of the 159th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide terms of office for the members of the Effingham County Board of Education.

HB 701

Troup County; Board of Commissioners; change description of districts

**Rep. Randy Nix of the 69th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Troup County Board of Commissioners.

HB 702

Troup County; Board of Education; change description of districts

**Rep. Randy Nix of the 69th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Troup County Board of Education.

HB 706

Elementary and secondary education; delete and clarify provisions

Rep. Mike Dudgeon of the 24th
House Committee on Education

Bill Summary:

House Bill 706 repeals unnecessary Code sections and updates wording of Title 20 which governs elementary and secondary education.

- SECTION 1: Removes the requirement that the State Board of Education must meet at the State Capitol in the Department of Education or at a place in the Capitol that is designated by the governor for that purpose.
- SECTION 2: Revises the Code section relating to the duties of the chairperson of the State Board of Education.
- SECTION 3: Revises committee meetings of the State Board of Education and where they may be held to provide flexibility.
- SECTION 4: Repeals and reserves Code Section 20-2-12, relating to educational television programs.
- SECTION 5: Repeals and reserves Code Section 20-2-100, relating to substituting county school superintendent for county school commissioner.
- SECTION 6: Amends the oath of the county school superintendent.
- SECTION 7: Revises the eligibility requirements for student enrollment.
- SECTION 8: Amends the Code section concerning distribution of federal funds by repealing area relating to "Summer Opportunity Program."
- SECTION 9: Revises annual performance evaluations for school personnel.
- SECTION 10: Repeals and reserves Code Section 20-2-212.3, relating to increasing teachers' salaries in areas of shortage.
- SECTION 11: Repeals and reserves Code Section 20-2-213, relating to an addition 5 percent increase in teacher salary based on student performance.
- SECTION 12: Repeals and reserves Code Section 20-2-213, relating to career ladder programs.
- SECTION 13: Repeals Code Section 20-2-231, relating to Georgia Education Leadership Academy.
- SECTION 14: Repeals Code Section 20-2-232, relating to staff development plans by local school systems.
- SECTION 15: Amends the powers and duties of the State Board of Education relating to no longer having the ability to organize and reorganize the Department of Education.
- SECTION 16: Repeals and reserves Code Section 20-2-251, relating to demonstration programs.
- SECTION 17: Repeals and reserves Code Section 20-2-252, relating to electronic technology.
- SECTION 18: Repeals and reserves Code Section 20-2-253, relating to achievement grants
- SECTION 19: Repeals and reserves Code Section 20-2-254, relating to educational research.
- SECTION 20: Adds a new subsection relating to the establishment of a state-wide network of regional educational service agencies.
- SECTION 21: Amends area relating to assessment of effectiveness of educational programs and removes references to Code Section 20-2-213 since it is repealed and reserved earlier in this bill.
- SECTION 22: Repeals Code Section 20-2-285.1, relating to provisions applicable to third grade criterion reference reading assessment students.
- SECTION 23: Repeals and reserves Code Section 20-2-303, relating to educational television.
- SECTION 24: Repeals and reserves Code Section 20-2-312, relating to a state program for middle school children during non-school hours.
- SECTION 25: Revises this section by removing the declaration of rules and regulations for contracts or purchases over \$100.
- SECTION 26: Repeals and reserves Code Section 20-2-501, relating to the prohibition of contracts or purchases over \$100.00 which are not in compliance with rules and regulations.
- SECTION 27: Repeals and reserves Code Section 20-2-502, relating to disciplining measures for violations for Code Section 20-2-501.
- SECTION 28: Repeals and reserves Code Section 20-2-503, relating to authority of local boards of education to purchase education information, literature and services.
- SECTION 29: Repeals and reserves Article 15, relating to school census.
- SECTION 30: Relates to requirements for home study programs. Paperwork will be submitted to the Department of Education, not the superintendent of schools of the local school district where the home student program is located.
- SECTION 31: Related to mandatory education for children between ages six and 16. This section adds that the Department of Education has authority in case of home study programs.
- SECTION 32: Adds the Department of Education to administration and enforcement of compulsory attendance laws.
- SECTION 33: Adds the Department of Education to report truants to juvenile or other courts relating to attendance.
- SECTION 34: Repeals Code Section 20-2-741, relating to local boards of education sending copies of student codes of conduct to the Department of Education.
- SECTION 35: Repeals and reserves Code Section 20-2-771.1, relating to voluntary reenrollment of children.
- SECTION 36: Repeals and reserves Code Section 20-2-960, relating to requiring bonds of principals.

SECTION 37: Relating to the authority of the Professional Standards Commission, repeals and reserves subsection (e), relating to demonstration plans under Code Section 20-2-251.

SECTION 38: Repeals and reserves Article 20, the 'Education Partnership Act of 1990.'

SECTION 39: Repeals and reserves Code Section 20-2-1183, relating to possession of electronic communication devices in school.

HB 707

Elections; valid student identification card with photograph to vote; provide

**Rep. Alisha Morgan of the 39th
House Committee on Governmental Affairs**

Bill Summary:

House Bill 707 provides that an elector may present a valid student identification card containing a photograph of the elector and issued by an eligible private postsecondary institution in this state as proof of identity in order to vote.

HB 708

Jones County; Board of Education; change description of districts

**Rep. James Epps of the 140th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Jones County Board of Education.

HB 709

Bryan County; Board of Education; change description of districts

**Rep. Ron Stephens of the 164th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Bryan County Board of Education.

HB 710

Jones County; Board of Commissioners; reapportion commissioner districts

**Rep. James Epps of the 140th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Jones County Board of Commissioners.

HB 711

Evidence; privileges; change provisions

**Rep. Edward Lindsey of the 54th
House Committee on Judiciary**

Bill Summary:

HB 711 is a joint spousal/advocate privilege bill.

First, the bill adds certain exemptions to the spousal privilege and when a spouse would be compelled to testify. In addition to the instances when a husband or wife is charged with a crime against a child under the age of 18, HB 711 adds exemptions when the husband or wife is charged with a crime against the spouse or their property or the crime occurred prior to the marriage.

Next, HB 711 prevents certain agents from being compelled to disclose information relating to family violence or sexual assault victims disclosed during the course of treatment programs.

HB 712

Pickens County; Board of Commissioners; clarify dates; change description of districts

Rep. Rick Jasperse of the 12th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Pickens County Board of Commissioners.

HB 713

Quality Basic Education Act; career and college readiness initiatives; delay implementation

Rep. Randy Nix of the 69th
House Committee on Education

Bill Summary:

House Bill 713 delays the implementation of some career and college readiness initiatives until the 2013-2014 school year. It adds a section stating that the State Board of Education shall require a career education study in grades kindergarten through 12.

HB 723

Putnam County; Board of Education; change method of electing members

Rep. Mickey Channell of the 116th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Putnam County Board of Education.

HB 725

Elections; selection and qualification of candidates and presidential electors; provisions

Rep. Mark Hamilton of the 23rd
House Committee on Governmental Affairs

Bill Summary:

House Bill 725 provides that in any case where an incumbent has filed notice of candidacy and paid the prescribed qualifying fee in a partisan or nonpartisan election to succeed himself or herself in office but withdraws as a candidate for such office prior to the close of the applicable qualifying period prescribed in this subsection, qualifying for candidates other than the incumbent shall be reopened at 9:00 A.M. on the next Monday following the close of the preceding qualifying period and shall cease at 5:00 P.M. on the Tuesday immediately following such reopening, notwithstanding the fact that any such days may be legal holidays.

HB 726

Peach County; board of commissioners; change description of districts

Rep. Lynmore James of the 135th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Peach County Board of Commissioners.

HB 727

Peach County; Board of Education; change description of districts

Rep. Lynmore James of the 135th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Peach County Board of Education.

HB 728

Property; covenants; clarify provisions

**Rep. Rick Jasperse of the 12th
House Committee on Governmental Affairs**

Bill Summary:

HB 728 provides that any covenant restricting lands to certain uses which was created prior to zoning laws being adopted by a county or municipality shall continue to be effective until the expiration of such covenant in accordance with its terms.

HB 729

Revenue and taxation; Internal Revenue and Internal Revenue Code of 1986; define terms

**Rep. David Knight of the 126th
House Committee on Ways & Means**

Bill Summary:

Section 1 updates the Code to reflect taxable years January 1, 2011 through January 1, 2012. This is legislation needed to conform Georgia's Tax Code to the Internal Revenue Code.

Section 2 strikes "of one-quarter of a mill" and inserts "as prescribed in Code Section 48-5-8", to reflect the changes made to the state portion of property tax that is scheduled to be repealed.

Section 3 allows for a Terminal Rental Adjustment Clause (TRAC) in a lease specifically designed for over-the-road vehicles and trailers. This clause guarantees a business a certain residual price for the vehicle when the lease expires. This is the most common type of lease for business owners who want the option of buying the vehicle for a pre-determined price at the end of the lease.

Section 4 allows for insulin to be tax-exempt, regardless of whether it is dispensed with a prescription or not.

HB 730

Administrative Services, Department of; public works construction contracts; provisions

**Rep. Bill Hembree of the 67th
House Committee on Industrial Relations**

Bill Summary:

HB 730 establishes that unless otherwise required by law, the Department of Administrative Services shall not in its bid documents, specifications, project agreements, or other controlling documents for a public works construction contract: (1) Require or prohibit bidders, offerors, contractors, subcontractors, or material suppliers to enter into or adhere to prehire agreements, project labor agreements, collective bargaining agreements, or any other agreement with one or more labor organizations on the same or other related construction projects; or (2) Discriminate against, or treat differently, bidders, offerors, contractors, subcontractors, or material suppliers for becoming or refusing to become or remain signatories or otherwise to adhere to agreements with one or more labor organizations on the same or other related construction projects.

HB 732

Special license plates; Purple Hearts; include persons serving in armed services

**Rep. Tony McBrayer of the 153rd
House Committee on Motor Vehicles**

Bill Summary:

House Bill 732 provides that temporary plates or "drive-out tags" may be issued for trailers. It provides that temporary transporter plates issued to motor vehicles may also be issued for the temporary transport of trailers. It allows for veterans deemed partially disabled to qualify for a free license plate and annual revalidation decal, and it enables individuals who have received the Purple Heart and are still serving in the armed services to be eligible for the Purple Heart license plate. It provides for special license plates for veterans and service members awarded certain Distinguished Service medals. It provides for special license plates to promote: prostate cancer awareness, lung cancer awareness and research, support for nurses in Georgia. Finally, it provides that special license plates for certified firefighters shall be exempt from paying an annual special license plate renewal fee.

HB 733

Family violence; holdover provisions for appointees; add

Rep. Dustin Hightower of the 68th
House Committee on Judiciary Non-Civil

Bill Summary:

HB 733 provides a holdover provision for members of the Georgia Commission of Family Violence in the absence of a governor's new appointment or reappointment.

HB 737

Walton County; Board of Commissioners; change description of districts

Rep. Bruce Williamson of the 111th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Walton County Board of Commissioners.

HB 738

Walton County; Board of Education; change provisions to districts

Rep. Bruce Williamson of the 111th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Walton County Board of Education.

HB 740

Carroll County; Board of Commissioners; change description of districts

Rep. Kevin Cooke of the 18th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Carroll County Board of Commissioners.

HB 741

Supplemental appropriations; State Fiscal Year July 1, 2011 - June 30, 2012

Rep. David Ralston of the 7th
House Committee on Appropriations

Bill Summary:

House Bill 741 amends the Fiscal Year 2012 budget for the State of Georgia based on a revenue estimate of \$18.5 billion in state funds and \$38.3 billion in total funds.

HB 742

General appropriations; State Fiscal Year July 1, 2012 - June 30, 2013

Rep. David Ralston of the 7th
House Committee on Appropriations

Bill Summary:

The 'Appropriations Act for Fiscal Year 2013,' effective July 1, 2012 is set by the governor's revenue estimate of \$19.3 billion in state funds and \$39.4 billion in total funds.

HB 743

Motor fuel tax; expiration date for exemption for certain public transit and public campus transportation systems; extend

**Rep. Tom Rice of the 51st
House Committee on Ways & Means**

Bill Summary:

This legislation extends the motor fuel tax exemption for public transit systems and transportation systems operated on educational campuses throughout the state. The new extension continues until June 30, 2015. Additionally, an exemption is provided for local SPLOST taxes on jet fuel at qualifying airports within the state. Lastly, the legislation restores an exemption for sales tax on packaging materials.

HB 744

Uniform Partition of Heirs Property Act; enact

**Rep. Edward Lindsey of the 54th
House Committee on Judiciary**

Bill Summary:

Effective January 1, 2013, House Bill 744 enacts the 'Uniform Partition of Heirs Property Act.' If an heir owns "heirs property" as it is defined by the Act, HB 744 provides the procedure by which the property may be divided.

HB 745

Public Health, Department of; study pulse oximetry screening for newborns to detect congenital heart defects; require

**Rep. Andrew Welch of the 110th
House Committee on Health & Human Services**

Bill Summary:

House Bill 745 requires the Department of Public Health to study pulse oximetry screening as a standard test for newborns to help detect congenital heart defects. The study will look at the implications and fiscal impact of implementing this test. The study is to be presented to the Georgia General Assembly no later than the fifth day of the 2013 regular session.

HB 746

Commissioner of Agriculture; final decision and reconsideration; clarify timing

**Rep. Billy Maddox of the 127th
House Committee on Agriculture & Consumer Affairs**

Bill Summary:

This legislation relates to the administrative authority of the commissioner of Agriculture on hearings for individuals aggrieved or adversely affected as a result of administrative orders issued by the Commissioner. The bill clarifies the timing of the Commissioner's final decision and decision for reconsideration of the final decision.

Any administrative order issued shall specify the alleged violation, monetary penalty or other sanction, prescribe a reasonable time for some type of action to be accomplished, and provide notice of the right to a hearing. Orders issued pursuant to this Code section will become final unless the aggrieved or adversely affected registrant, licensee, permittee, applicant, equine owner, livestock owner, dog or cat owner, exotic and pet bird owner, or farmer of crops or livestock, chickens, or other animals requests a hearing in writing within 30 days after the issuance of the order. Such orders include issues concerning: impoundments; quarantine; the issuance, suspension, denial, or revocation of registrations, licenses, or permits; and approval or denial of applications for registrations, licenses, or permits provided for in such federal and state laws as are to be enforced by the Department of Agriculture.

A hearing officer appointed or designated for such purpose by the commissioner will listen to the aggrieved party's opposition to the order, and the decision of the hearing officer will constitute an initial decision of the Department of Agriculture. Once the hearing officer issues this initial decision, the decision may be appealed for final agency review. The party requesting the appeal has 30 days from notice of the initial decision to file an application for final review. If the initial decision is not appealed within 30 days, it will be deemed final.

In the event that the appeals process culminates in the rendering of a final decision by the commissioner, this bill specifies the timing for such final decision to be not later than 30 days from the date of the filing of an application for final agency review. Further, if the aggrieved party files a written request for reconsideration of the final decision, it must be submitted within ten days of service of the final decision. The bill specifies that the commissioner has 30 days from this latest filing deadline to render a reconsideration decision.

HB 749

Calhoun County; Board of Education; provide new districts

**Rep. Gerald Greene of the 149th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Calhoun County Board of Education.

HB 750

Calhoun County; provide new commissioner districts

**Rep. Gerald Greene of the 149th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Calhoun County Board of Commissioners.

HB 751

Jasper County; Probate Court judge; provide nonpartisan elections

**Rep. Susan Holmes of the 125th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to provide for the non-partisan election of the Probate Judge of Jasper County.

HB 752

Jasper County; board of commissioners; provide staggered terms

**Rep. Susan Holmes of the 125th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Jasper County Board of Commissioners.

HB 753

Jasper County; Board of Education; change description of districts

**Rep. Susan Holmes of the 125th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Jasper County Board of Education.

HB 754

Candler County; Board of Commissioners; change description of districts

**Rep. Butch Parrish of the 156th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Candler County Board of Commissioners.

HB 755

Candler County; Board of Education; revise districts

**Rep. Butch Parrish of the 156th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Candler County Board of Education.

HB 756

Putnam County State Court; law provisions updated and consolidated; provide

**Rep. Mickey Channell of the 116th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to revise, modernize, and consolidate local laws relating to the State Court of Putnam County.

HB 757

Putnam County; board of commissioners; change description of districts

**Rep. Mickey Channell of the 116th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Putnam County Board of Commissioners.

HB 758

Glynn County; Board of Commissioners; reapportion districts

**Rep. Roger Lane of the 167th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Glynn County Board of Commissioners.

HB 759

Glynn County; Board of Education; provide description of districts

**Rep. Roger Lane of the 167th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Glynn County Board of Education.

HB 760

Elementary and secondary education; capital outlay funds replace exceptional growth program

**Rep. Brooks Coleman of the 97th
House Committee on Education**

Bill Summary:

House Bill 760 makes several changes to the K-12 Capital Outlay program to ensure that the program better meets the needs of Georgia's students. HB 760 shifts Exceptional Growth entitlement earnings to the Regular program, allowing for the maximum entitlement level under the Regular program to be increased to \$300 million. This bill also makes changes to the Low Wealth program, making it easier for low wealth systems to qualify for funds. It tightens the requirements for Advance Funding so that it helps smaller, poorer systems as intended. Additionally, it codifies the process whereby the Department of Education may advance funds to systems that need them immediately due to natural disaster. School systems will apply for Capital Outlay funding in FY14 based on the new criteria established in this bill. This legislation was recommended by the State Education Finance Study Commission.

HB 763

Juries; certain persons ineligible to serve as trial or grand jurors; clarify

**Rep. Alex Atwood of the 179th
House Committee on Judiciary**

Bill Summary:

House Bill 763 reinserts language in the Code which was inadvertently deleted in HB 415, the 'Jury Composition Bill of 2012.' For instance, it prevents felons from serving as juries as well as 16 and 17-year olds.

HB 764

McIntosh County; Board of Education; change description of districts

**Rep. Roger Lane of the 167th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the McIntosh County Board of Education.

HB 765

McIntosh County; Board of Commissioners; change description of districts

**Rep. Roger Lane of the 167th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the McIntosh County Board of Commissioners.

HB 766

Archives and History, Division of; law regarding Foundation of American Law and Government displays; revise provisions

**Rep. Tommy Benton of the 31st
House Committee on Governmental Affairs**

Bill Summary:

House Bill 766 expands the law allowing the Foundations of American Law and Government display in courthouses. This bill will allow the display in all state and local government buildings.

HB 767

Johnson County; board of education; describe new election districts

**Rep. Butch Parrish of the 156th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Johnson County Board of Education.

HB 768

Johnson County; board of commissioners; provide commissioner districts

**Rep. Butch Parrish of the 156th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Johnson County Board of Commissioners.

HB 769

Consumers' utility counsel division; not necessary to file copies of filings with Public Service Commission; provide

**Rep. Harry Geisinger of the 48th
House Committee on Energy, Utilities & Telecommunications**

Bill Summary:

This legislation states that until the Consumers' Utility Counsel Division is specifically granted funding in an appropriations act, the division will not be required to file copies of filings with the Public Service Commission.

HB 770

Harris County; Board of Education; change description of districts

**Rep. Kip Smith of the 129th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Harris County Board of Education.

HB 771

Harris County; Board of Commissioners; change description of districts

**Rep. Kip Smith of the 129th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Harris County Board of Commissioners.

HB 772

Newton County; board of commissioners; change description of districts

**Rep. Doug Holt of the 112th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Newton County Board of Commissioners.

HB 773

Newton County; Board of Education; change description of districts

**Rep. Doug Holt of the 112th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Newton County Board of Education.

HB 774

Morgan County; Board of Commissioners; change description of districts

**Rep. Doug Holt of the 112th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Morgan County Board of Commissioners.

HB 775

Morgan County; Board of Education; change composition and description of districts

**Rep. Doug Holt of the 112th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Morgan County Board of Education.

HB 776

Elections; nonpartisan elections for members of consolidated governments considered county elections; provide

**Rep. Barbara Sims of the 119th
House Committee on Governmental Affairs**

Bill Summary:

House Bill 776 provides that nonpartisan elections for members of consolidated governments shall be considered county elections and not municipal elections.

HB 777

Terrell County; Board of Commissioners; change description of districts

**Rep. Bob Hanner of the 148th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Terrell County Board of Commissioners.

HB 779

Pulaski County; Board of Education; change description of districts

**Rep. Buddy Harden of the 147th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Pulaski County Board of Education.

HB 783

Laurens County; Board of Commissioners; change description of districts

**Rep. Matt Hatchett of the 143rd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Laurens County Board of Commissioners.

HB 784

Haralson County; board of education; change description of districts

**Rep. Howard Maxwell of the 17th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Haralson County Board of Education.

HB 785

Insurance; limitations on licensure requirements for certain health care providers; provide

**Rep. Allen Peake of the 137th
House Committee on Insurance**

Bill Summary:

The purpose of HB 785 is to insure that licensing of medical doctors and dentists continues to be based on competence and education and is not dependent upon them being contractually obligated to a third-party payer.

HB 786

Consumers' insurance advocate; not necessary to file insurance rate filings until appropriately funded; provide

**Rep. Bill Hembree of the 67th
House Committee on Insurance**

Bill Summary:

House Bill 786 provides that, until such time as the consumers' insurance advocate is appropriately funded, it shall not be necessary to file copies of insurance rate filings with the consumers' insurance advocate.

HB 788

Camden County; Board of Education; change description of districts

**Rep. Jason Spencer of the 180th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Camden County Board of Education.

HB 789

Camden County; board of commissioners; change description of districts

**Rep. Jason Spencer of the 180th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Camden County Board of Commissioners.

HB 790

Tift County; Board of Education; change description of districts

**Rep. Tony McBrayer of the 153rd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Tift County Board of Education.

HB 791

Tift County; Board of Commissioners; reapportion districts

**Rep. Tony McBrayer of the 153rd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Tift County Board of Commissioners.

HB 792

Nonpublic Postsecondary Educational Institutions Act of 1990; operate by means of accreditation; provide authorization

**Rep. David Casas of the 103rd
House Committee on Higher Education**

Bill Summary:

This legislation changes for the purposes of meeting criteria for operational authorization from the Nonpublic Postsecondary Educational Commission (NPEC), the duration from five to 10 years that an institute must have legally operated in this state, as well as the length of time the institute is to have been accredited by a recognized accrediting agency. The bill amends Code Section 20-3-250.8 relating to applications to operate or conduct postsecondary activities under the 'Nonpublic Postsecondary Educational Institutions Act of 1990,' to provide for authorization to operate by means of accreditation for nonpublic postsecondary institutions that meet certain requirements. These requirements include: the institution has operated legally in this state for at least 10 consecutive years, the institution has held for at least 10 years accreditation by an accrediting agency that is recognized by either the Council for Higher Education Accreditation or the United States Department of Education, and the institution has no unresolved complaints or actions against it in the past 12 months. The NPEC reviews the applications for operation, and the commission may not require an institution granted an authorization to operate to submit information or reports that differ from the information or reports required by its accrediting association. Each institution shall file with the commission an application for renewal, which shall be accompanied by payment of fees specified in Code Section 20-3-250.11. In addition to the applications for renewal, institutions desiring to operate new or existing programs which exceed the level or scope of the institution's existing accreditation shall be required to apply for and obtain such authorization.

HB 795

All-terrain vehicles; make definitions consistent with industry standards

**Rep. Alan Powell of the 29th
House Committee on Motor Vehicles**

Bill Summary:

House Bill 795 modifies definitions related to all-terrain, recreational off-highway, and off-road vehicles to make such definitions consistent with current industry standards and practices.

HB 797

State chartered special schools; revise funding

**Rep. Jan Jones of the 46th
House Committee on Education**

Bill Summary:

This bill establishes the State Charter Schools Commission as a state-level authorizing entity working in collaboration with the Department of Education under the supervision of the State Board of Education. The Commission will be made up of a total of seven members: three appointed by the governor, two by the president of the Senate and two by the speaker of the House. Members will serve a two-year term and shall hold a bachelor's degree or higher. The Commission is encouraged to have their first meeting no later than March 1, 2013 and at least bi-monthly after that.

The Commission has the power to approve or deny petitions for state charter schools, as well as renew, non-renew or terminate petitions in accordance with State Board of Education rules and regulations. The State Board of Education is able to overrule the approval or renewal within 60 days of the decision upon a majority vote of the members. The Commission has the power to conduct facility and curriculum reviews of state charter schools. The bill outlines the requirements for eligibility to put in a petition, and the responsibilities of the state charter schools in the event that petitions are approved or terminated.

The legislation also provides for appropriations of funds for the state charter schools by the Georgia General Assembly and shall be treated consistently with all other public schools in this state, pursuant to the respective statutory funding formulas and grants.

This Act becomes effective on January 1, 2013 if the Constitutional amendment authorizing the General Assembly to create charter schools as special schools is ratified in the November 2012 general election.

HB 800

Assistant adjutants general; certain qualifications; change

**Rep. Matt Hatchett of the 143rd
House Committee on Defense & Veterans Affairs**

Bill Summary:

House Bill 800 amends certain qualifications under O.C.G.A. 38-2-152 to allow Army and Air Force officers with the rank of lieutenant colonel or higher to be appointed assistant adjutant general of the Georgia National Guard by the governor. This bill also removes the requirement that these officers serve continuously for five or more years in the Army or Air National Guard of Georgia prior to their appointment.

HB 803

Gilmer County; Board of Education; change description of districts

**Rep. David Ralston of the 7th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Gilmer County Board of Education.

HB 804

Clarke County; change county commission election districts; provide nonbinding advisory referendum

**Rep. Keith Heard of the 114th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a nonbinding referendum in Athens/Clarke County on reapportionment plans for the Athens/Clarke County Commission.

HB 805

State Personnel Administration; abolition; make conforming amendments and correct references

**Rep. Doug Collins of the 27th
House Committee on Governmental Affairs**

Bill Summary:

HB 805 amends Title 47 of the Official Code of Georgia Annotated relating to retirement and pensions. Within Title 47, it eliminates all references to the State Personnel Administration and replaces them with the phrase "subject to the state system of personnel administration created by Chapter 20 of Title 45 and the State Personnel Board." These changes are necessary due to the abolition of the State Personnel Administration and the transfer of certain functions of such agency to the Department of Administrative Services as provided for in House Bill 642.

HB 806

Transportation, Department of; mandatory appropriation of fuel tax funds carried from one fiscal year to next; provide

**Rep. Jay Roberts of the 154th
House Committee on Appropriations**

Bill Summary:

House Bill 806 states that prior year motor fuel dollars shall be carried forward into the next fiscal year and are authorized for use in providing an adequate system of public roads and bridges. It creates the "Mandatory Appropriation Carryover Program" that will become a part of the yearly budget; currently, this money is listed in the budget as "other." Part (iii) of the bill specifically allows the General Assembly to exclude an appropriation from the "Mandatory Appropriation Carryover Program." Twenty percent of prior year motor fuel dollars may be rolled over into the Mandatory Appropriation Carryover Program, and the other 80 percent will carry forward as a continued appropriation for its original purpose. HB 806 expressly prohibits funding for LMIG and debt service from being rolled into the Program, and it prohibits the allocation of funds from

Program from being redistributed to a program that did not have an appropriation from the legislature during that fiscal year, unless the need was not ascertainable at the time of the general appropriations act.

HB 808

Taxation; exclusion to certain income of certain disabled veterans; provide

**Rep. John Yates of the 73rd
House Committee on Ways & Means**

Bill Summary:

This legislation clarifies state Code to ensure that disability income from the United States Department of Veterans Affairs is not subject to state income tax. This bill has no fiscal impact, as this income has not previously been taxed based on federal law.

HB 811

Budgetary and financial affairs; automatic fee adjustment in certain cases; provide

**Rep. Jay Powell of the 171st
House Committee on Governmental Affairs**

Bill Summary:

House Bill 811 provides for automatic fee adjustments for certain fees collected, such as: the solid waste disposal fee, the tire disposal fee, and certain fees pertaining to traffic violations collected by the courts.

For the purpose of making appropriations to the functions required to administer the programs supported by the fees collected, the Office of Planning and Budget (OPB) must determine the base amount of the fee. "Base amount" is defined as the total amount of fee proceeds collected during the fiscal year preceding the fiscal year for which the current appropriation amount is being determined.

Additionally, OPB must establish what amount would be 20 percent of the base amount collected in fees, and add same to the current appropriation to determine the target amount of appropriation. If the new appropriation is equal to or greater than 95 percent of the base amount, or equal to or greater than the target amount, the amount of the fee collected will not be reduced.

However, if the new appropriation amount is less than the target appropriation amount, the fees collected will automatically be reduced by 20 percent. In this case, OPB must notify the collecting entity, when the Appropriation Act becomes law. Any fiscal year when the appropriation again meets the target amount, the fee amount will increase back to the prior amount. This new automatic adjustment of fees does not preclude any appropriation of greater amounts from taking place by OBP. Each collecting agency affected by this bill must confer with OPB to promulgate rules and regulations as would be required, including appropriate public notification of any fee amount change.

Finally, the bill provides that this new Code section will not be implemented until January 1 of the calendar year following the state fiscal year in which the year-end balance of the Revenue Shortfall Reserve (RSR) funds is equal to or greater than 7 percent of the fiscal year spending which immediately precedes that year. If any subsequent fiscal year, the RSR falls below the 7 percent spending of the fiscal year immediately preceding, the operation of this Code section will be suspended.

The Senate committee substitute deleted language that would have made this newly-created Code section applicable to certain fees supporting indigent criminal defense.

HB 812

Douglas County; Board of Education; change description of districts

**Rep. Bill Hembree of the 67th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Douglas County Board of Education.

HB 813

Douglas County; Board of Commissioners; reapportion districts

**Rep. Bill Hembree of the 67th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Douglas County Board of Commissioners.

HB 815

Central State Hospital Local Redevelopment Authority Act; enact

**Rep. E. Culver "Rusty" Kidd of the 141st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to create the Central State Hospital Local Redevelopment Authority and to provide for its powers and duties.

HB 817

Transportation, Department of; power to contract; amend limitations

**Rep. Chad Nimmer of the 178th
House Committee on Transportation**

Bill Summary:

This is the annual Department of Transportation housekeeping bill. It amends several Code sections relating to GDOT.

Section 1 raises the max expenditure contracted for construction and maintenance of public roads from \$100,000 to \$200,000. This section also raises the same expenditure in emergency situations for construction or maintenance to \$200,000 when the work requires completion without delay of advertising for public bids.

Section 2 amends Code Section 32-2-64 by allowing the posting of a bid on the department's website to satisfy the public bid requirement, and Section 3 amends Code Section 32-2-69 by allowing the posting of a bid to the department's website to be the equivalent of having read the bid.

Section 4 amends Code Section 32-2-81 relating to design-build projects and procedure of the department by changing the cap for design-build projects to 50 percent of the total amount of construction projects awarded in the previous fiscal year.

Section 5 amends §32-4-20 relating to the composition of the state highway system to add those roads which serve as part of a programmed road improvement project plan in which the department will utilize state or federal funds for the acquisition of rights of way as an additional option for requirements which allow a road to be part of the state highway system.

Section 6 provides a new Code Section 32-6-5 which allows the department to close or limit access to any portion of road on the state highway system due to inclement weather. In the event of a closure or access limitation, signage indicating that a portion of road has been closed or access limited would be required. The department must notify drivers through posted signage that tire chains, four-wheel drive with adequate tires for existing conditions, or snow tires with an all weather rating from the manufacturer are required to proceed. Commercial vehicles, except buses, with four or more drive wheels shall have tire chains on at least four of the drive wheels. Bus operators must put chains on at least two of the drive wheel tires. A tire chain is defined as metal chains which consist of two circle metal loops positioned on each side of a tire, connected by not less than nine evenly spaced chains across the tread of the tire or any other traction devices capable of providing traction equal to or exceeding that of such metal chains. There is an exemption from these requirements for a tow operator who is towing a motor vehicle or traveling to a site from which a motor vehicle shall be towed or to emergency responders traveling the roadway in order to fulfill their duties.

Section 7 amends Code Section 32-6-26 relating to weight and load limits by removing the requirement for the approval of the commissioner for the designation of a truck route on county roads and requires the county to notify GDOT of the designation within 90 days.

Section 8 amends Code Section 32-6-50 by removing the requirement for the approval of the commissioner of GDOT for the signage requirements for locally designated truck routes.

HB 818

Income tax credit; certain commercial geothermal heat pumps; include

**Rep. Don Parsons of the 42nd
House Committee on Ways & Means**

Bill Summary:

This legislation clarifies the energy conservation income credit provided for in §48-7-29.14 to allow for a three-phase heat pump to be allowed in the credit. Additionally, the bill lowers the amount of the credit in calendar year 2014 to \$2.5 million from \$5 million.

HB 820

Guaranteed asset protection waivers; retail seller's requirements to insure waiver obligations; provide exception

**Rep. Howard Maxwell of the 17th
House Committee on Insurance**

Bill Summary:

House Bill 820 provides for an exception to a retail installment seller's requirement to insure its guaranteed asset protection waiver obligations under a contractual liability policy. It provides for retail installment sellers to be exempted from reinsurance requirements relating to vehicle service agreements or extended warranty agreements.

HB 822

Georgia Taxpayer Protection False Claims Act; enact

**Rep. Edward Lindsey of the 54th
House Committee on Judiciary**

Bill Summary:

House Bill 822 expands the use of the Georgia State Attorney General's office to investigate individuals and corporations that engage in fraudulent activity with taxpayer money. Medicaid claims are already subject to this investigative measure.

HB 823

Henry County; appointment of county surveyor; provide

**Rep. Andrew Welch of the 110th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to abolish the elective office of County Surveyor in Henry County and to provide for the office to be appointive.

HB 824

Quality Basic Education Act; calculating equalization grants; revise method

**Rep. Mike Dudgeon of the 24th
House Committee on Education**

Bill Summary:

House Bill 824 revises the methodology for calculating equalization grants as well as adds an eligibility requirement for receiving the grant. It defines "equivalent millage" for the purpose of being eligible for Equalization funding and changes the benchmark for Equalization from the 75th percentile to the statewide average less any outliers based on wealth.

Specifically, language is added defining "equivalent millage" as the combination of property tax and sales tax revenue representing the amount generated by a designated millage rate. This language is applicable to school systems that have a Lost Option Sales Tax (LOST) for maintenance and operations. Language that says the guaranteed valuation (the benchmark that is equalized to) is the school system at the 75th percentile is removed and replaced by a new guaranteed valuation using a modified statewide average of assessed valuation per Weighted FTE (WFTE). Systems will continue to be ranked in wealth/WFTE, but for the purposes of calculating the statewide average, the top 5 percent and bottom 5 percent of systems will be removed from the averaging calculation.

Any school system that falls below the guaranteed valuation is required to have a millage of 12 mills or the equivalent in order to be eligible for Equalization effective July 1, 2015. The millage requirement increases by .5 every year until it reaches a cap of 14 mills in July, 1, 2019.

HB 825

Education; time frame relative to hearings before administrative law judges; eliminate

**Rep. Randy Nix of the 69th
House Committee on Education**

Bill Summary:

House Bill 825 relates to the process for students to follow for reporting instances of alleged inappropriate behavior by teachers. This bill gives the educator the right to appeal a commission decision in a hearing before an administrative law judge. If appealed, the hearing shall be held within 180 days of such appeal.

HB 827

Traffic offenses; fleeing or attempting to elude a pursuing police vehicle; modify provisions

**Rep. Bill Hembree of the 67th
House Committee on Public Safety & Homeland Security**

Bill Summary:

This bill makes eluding or fleeing from law enforcement a felony offense.

HB 829

State house districts; boundaries of certain districts; revise

**Rep. Roger Lane of the 167th
House Committee on Legislative & Congressional Reapportionment**

Bill Summary:

This legislation alters certain Districts 9, 10, 18, 24, 26, 27, 28, 29, 30, 68, 98, 103 and 104. These districts affect Banks, Carroll, Dawson, Douglas, Forsyth, Gwinnett, Habersham, Hall, Haralson, Lumpkin, Stephens and White counties.

HB 832

Vidalia onion trademark; royalty and license fee not exceed a certain amount; eliminate requirement

**Rep. Tom McCall of the 30th
House Committee on Agriculture & Consumer Affairs**

Bill Summary:

The legislation amends Code Section 2-14-132.1 of the O.C.G.A relating to Vidalia onion trademark, royalty and license fees by removing the language setting the royalty and license fee at .05 cents for each six ounces or part thereof, for a food product using the Vidalia onion in the product and the Vidalia onion trademark.

HB 833

Terrell County; Board of Education; change description of districts

**Rep. Bob Hanner of the 148th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Terrell County Board of Education.

HB 835

Vehicles; 5 percent variance of weight limitations for towing disabled commercial vehicles; provide

**Rep. Jay Roberts of the 154th
House Committee on Transportation**

Bill Summary:

House Bill 835 provides for an "Annual Commercial Wrecker Emergency Tow Permit" to be issued by the commissioner of the Department of Transportation for vehicles towing disabled, damaged, or wrecked commercial vehicles, even though such wrecker or its load exceeds the maximum limits specified in Code Section 32-6-28. The bill prohibits the authorization of the operation of a vehicle whose single axle weight exceeds 21,000 pounds, whose load on any tandem axle exceeds 40,000 pounds, or whose total load length exceeds 125 feet. The fee for this permit is \$500.

HB 838

Paulding County; Board of Commissioners; revise districts

**Rep. Howard Maxwell of the 17th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Paulding County Board of Commissioners.

HB 839

Paulding County; Board of Education; revise districts

**Rep. Howard Maxwell of the 17th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Paulding County Board of Education.

HB 840

Emanuel County; Board of Commissioners; change description of districts

**Rep. Butch Parrish of the 156th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Emanuel County Board of Commissioners.

HB 841

Emanuel County; Board of Education; change description of districts

**Rep. Butch Parrish of the 156th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Emanuel County Board of Education.

HB 842

Decatur, City of; Board of Education; change description of districts

**Rep. Stephanie Benfield of the 85th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the City of Decatur Board of Education.

HB 844

Bonds; certain validation hearing appearance provisions; provide

**Rep. Charles Martin of the 47th
House Committee on Judiciary**

Bill Summary:

HB 844 strengthens the validation process under which local development authorities issue industrial revenue bonds, bond anticipation notes and other financial instruments for the purpose of stimulating economic development and assisting new, expanding or relocating businesses to come to Georgia.

HB 845

Early care and education programs; influenza vaccine; provide information

**Rep. Ben Watson of the 163rd
House Committee on Health & Human Services**

Bill Summary:

House Bill 845 requires early care and education programs to provide information on the influenza vaccine by September 1st of each year. The bill requires information on the causes, risk, and symptoms of the influenza as well as the availability, effectiveness, and known contraindications of the vaccine to be distributed to each child. Failure to do this will not subject any program to civil or criminal liability.

HB 846

Revenue, Department of; various administrative and procedural requirements; change

**Rep. David Knight of the 126th
House Committee on Ways & Means**

Bill Summary:

This legislation updates the various administrative procedures of the Department of Revenue in three main areas. First, the legislation allows the Department to begin publishing letter rulings, so long as all sensitive information has been redacted for the publication. Secondly, the legislation removes the requirement that personal property seized by the Department due to failure to pay taxes, has to be auctioned within the same county in which it was seized. Lastly, the bill allows for the electronic storage of proof of certain types of liens and other legal documentation.

HB 847

Grady County; board of commissioners; change description of districts

**Rep. Gene Maddox of the 172nd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Grady County Board of Commissioners.

HB 848

Whitfield County; Board of Education; change description of districts

**Rep. Tom Dickson of the 6th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Whitfield County Board of Education.

HB 850

Guardian and ward; criminal background checks for persons seeking to become a guardian; provide

**Rep. Brett Harrell of the 106th
House Committee on Judiciary**

Bill Summary:

House Bill 850 gives probate judges the discretion to require petitioners seeking to become a guardian or conservator to submit to a background check.

HB 851

Taxation of intangibles; rates charged by collecting officers; change certain requirements

**Rep. Tom Rice of the 51st
House Committee on Ways & Means**

Bill Summary:

This legislation repeals a population requirement that stipulates that DeKalb and Fulton counties can only retain 4 percent of the intangible tax collected within their respective counties, whereas the rest of the counties may retain 6 percent. With the new census, Cobb and Gwinnett counties would be subject to the 4 percent of revenue limit. Now all counties within the state retain 6 percent of the tax collected.

HB 860

Lowndes County; Board of Education; change description of districts

**Rep. Amy Carter of the 175th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Lowndes County Board of Education.

HB 861

Law enforcement officers; report drug related arrests to Department of Human Services; require

**Rep. Michael Harden of the 28th
House Committee on Judiciary**

Bill Summary:

House Bill 861 requires drug testing of Temporary Assistance for Needy Families (TANF) applicants as a condition of eligibility to receive benefits. The Department of Human Services must adopt rules and regulations to implement the bill.

If an applicant fails one drug test, the person shall be ineligible for one month or until he or she tests negative in another test. For two positive results, the recipient is ineligible for three months or until he or she tests negative in a retest. For a third or subsequent positive result, the recipient shall be ineligible for one year or until he or she tests negative in a retest.

The Department must do the following:

- provide notice to the individual at the time of application of the intent to drug test;
- require each individual to sign acknowledgement of notice;
- require one parent to comply in a two-parent family;
- require teen parents to comply if not living with parent, legal guardian, or other adult caretaker;
- inform a participant who tests positive of his or her ability to retest, and
- provide a list of substance abuse treatment programs for a participant who tests positive.

Any results are not subject to Open Records, criminal investigation (or subject to subpoena) or civil action unless consented to by the applicant.

A protective payee will be designated for a child of an ineligible parent.

For applicants who would typically qualify to submit, HB 861 provides for certain exceptions.

HB 863

State purchasing; purchases without competitive bidding; change certain provisions

**Rep. Matt Hatchett of the 143rd
House Committee on State Institutions & Property**

Bill Summary:

This bill, entitled 'The Small Business Assistance Act of 2012,' allows supplies, materials, equipment and services that can reasonably be acquired for less than \$25,000 and are not on a state contract to be purchased without competitive bidding.

The commissioner of the Department of Administrative Services is in charge of setting the rules and regulations, as well as governing a Purchasing Advisory Council comprised of the: director of the Georgia Technology Authority, director of the Office of Planning and Budget, chancellor of the University System of Georgia, commissioner of the Technical College System of Georgia, commissioner of Transportation, Georgia Secretary of State, the commissioner of Human Services, the commissioner of Community Health, the commissioner of Public Health, the commissioner of Behavioral Health and Developmental Disabilities, and one member appointed by the governor.

The bill defines "Georgia Resident Business" and "small business" as a Georgia resident business that has fewer than 300 employees or less than \$30 million per year in gross receipts.

A Georgia Resident Business must have maintained a physical location where business is regularly conducted in the state for at least one year prior to any bid or proposal, and it cannot be a post office box, a leased private mailbox, site trailer, or temporary structure. A Georgia Resident Business can also be a new business, as long as it physically conducts business in Georgia.

HB 865

Georgia Motor Common and Contract Carrier Act of 2012; enact

**Rep. Alan Powell of the 29th
House Committee on Motor Vehicles**

Bill Summary:

House Bill 865 enacts the 'Georgia Motor Common and Contract Carrier Act of 2012.' Primarily, it transfers the functions of regulating motor carriers and limousine carriers from the Georgia Public Service Commission to the Georgia Department of Public Safety.

HB 868

**Income tax credits; business enterprises located in less developed areas designated by tiers;
provide**

**Rep. Doug Collins of the 27th
House Committee on Ways & Means**

Bill Summary:

In Sections 1 and 2 of House Bill 868, the bill clarifies §48-7-40 and §48-7-40.1 to include manufacturers of alternative energy products, biomedical manufacturers, and provides jobs which are industrial in nature to be eligible for the JOBS tax credit. Furthermore, the legislation defines a new full-time employee job, to require 35 hours of work per week, and have a higher salary than the average salary of the county. In Section 3, there is an expansion of the Research and Development Tax Credit (§48-7-40.12) to allow companies to take this credit against their state withholding liability. Section 4 includes an expansion of Port Tax Credit Bonus (§48-7-40.15) and allows the credit to be used in Less Developed Census Tracts, Military Zones, and Opportunity Zones. Also, in Section 5 the Quality Job Tax Credit (§48-7-40.17) is expanded for use by military contractors by removing the provision that the job cannot have a predetermined end date. Section 6 of the legislation clarifies §48-7-40.24 to exclude jobs that existed within the state before a company was purchased by another company which previously qualified for the MEGA tax credit. Section 6 also provides in the job creation requirement that if the company at the close of the sixth taxable year following the start of the qualifying project has made an investment of \$600 million towards the project, the job creation requirement can be extended an additional two years. This extension can also occur again after eight years, for an additional two years, if the project has invested \$800 million into the qualifying project.

HB 869

Natural Resources, Board of; rules and regulations; revise certain provisions

Rep. Roger Lane of the 167th
House Committee on Game, Fish, & Parks

Bill Summary:

House Bill 869 updates fishing laws in Georgia. It requires anyone who must have a fishing license for saltwater fishing to participate in the Saltwater Information Program. A questionnaire is required as part of the program and to obtain a needed free endorsement for salt water fishing.

Dip nets and cast nets can both be legally used for bait purposes as well as for other non-game fish. Of the fresh water species specified, it is illegal to possess more than 50 of each, and the details on size limits and catch-per-day allowances can be found in the bill.

Administrative changes in the bill include the expansion of the Board of Natural Resources' authority to include the disposition, size, possession and creel limits as well as gear and landing specifications for fresh water fishing; however, the General Assembly may override any rule or regulation promulgated by the Board affecting salt-water finfish fisheries after Jan 1, 2013 by adopting a joint resolution. The bill also creates the Coastal Finfish Advisory Panel, and states that each member shall serve for two terms with no compensation. The panel shall consult with the department to promote and protect recreational and commercial salt-water fishing in this state. The panel, which is to be administratively attached to the Department of Natural Resources (DNR), is authorized to submit a report to the General Assembly detailing its objection to any rule or regulation adopted by the department.

The bill states that the Board's rules and regulations regarding the use of a bow and arrow for salt-water fishing are to be displayed publically.

For any waters designated as trout waters, it shall be illegal to use live fish for bait, and it shall be illegal to fish for trout in trout waters by means other than one pole and line per hand.

Commercial fishing for American eels, catfish in salt water, and horseshoe crabs is illegal without both a valid commercial license and a valid commercial boat license. The Board has the authority to restrict the locations and seasons for fishing for these species. For those commercially fishing for any seafood, it is required to maintain a log book of the amount landed per trip.

The department is authorized to zone the salt water in Georgia, but the commissioner cannot close all or any portion of salt waters of the state to fishing by species for longer than six months within a calendar year. This Code section does not prohibit landing fish or seafood in federal waters, but the possession of a valid commercial federal permit is required to do so. There must be a posting at the courthouse in each coastal county at least 24 hours prior to any enforcement action being taken regarding the opening or closing of any salt waters.

The Board is authorized to promulgate rules and regulations and to prohibit the sale of any or all seafood in the state, as well set regulations for non-commercial shrimp fishing. A valid personal commercial fishing license will be necessary to sell shrimp for live or dead bait, but cashiers and others who are not actively involved in the harvest of the shrimp shall not be required to possess such a license. A license for bait shrimp will not be issued to anyone without a bait dealer license, and individuals with a valid commercial food shrimp cast netting license may not fish for shrimp for live bait. Boats fishing for shrimp for live bait must maintain the commercial fishing boat bait-holding facilities and maintain the numerals and letters issued with their license as required by the Board. Also, unless opened for such taking, it is prohibited to fish for shrimp in close waters unless authorized by the commissioner. Provided that this Code is not in violation, interstate import of bait shrimp is allowed. A bait dealer's facilities relating to applications for licenses shall be inspected within 30 days from the time of the application to ensure appropriate compliance. The amount of the required forfeiture bond to be filled with the commissioner to the state is \$2,000 for a one-year term that shall correspond to the period of the bait dealer license.

All commercially licensed vessels engaged in commercial shellfish harvest or transport, whether shellfish or not, shall have a portable marine toilet on board.

Other statutory changes include a prohibition on commercial fishing for sturgeon with sturgeon nets or gill nets in fresh water or with cast nets in tidal rivers and creeks. Also, jelly fish and whelks are now allowed under the rules specified in Code Section 42-4-130. The new restrictions on the size of oysters taken for commercial purposes are that the oysters measure more than two inches from hinge to mouth. If attached, the oyster which is less than two inches in measurement may be kept if it cannot be removed without destroying the two inch oyster.

HB 871

Violations of traffic laws; additional penalty to be assessed for driver education purposes; extend expiration date

**Rep. Paul Battles of the 15th
House Committee on Judiciary Non-Civil**

Bill Summary:

House Bill 871 extends the sunset provision for five5 years for the additional fee charged on traffic violations that are paid into pensions, annuities, or retirement funds provided for under Title 47.

HB 872

Commerce and trade; secondary metals recyclers; provide comprehensive revision of provisions

**Rep. Jason Shaw of the 176th
House Committee on Judiciary Non-Civil**

Bill Summary:

House Bill 872 limits from whom a secondary metals recycler may purchase copper coil or wire and limits the form of payment to a check, electronic funds transfer, or voucher payable to the person who is recorded as a seller.

The bill requires additional information to be kept in the records of each transaction, allows law enforcement the right to inspect those records, requires registration of secondary metal recyclers with the sheriff of each county and requires GBI to maintain a data base of all transaction information of secondary metals recyclers. HB 872 also regulates the selling of 'burial objects' as scrap metal.

HB 875

Natural Resources, Department of; privacy of certain records and personal information; provide

**Rep. David Knight of the 126th
House Committee on Game, Fish, & Parks**

Bill Summary:

House Bill 875 exempts from public inspection any personal information for licenses, registrations, permits, stamps or other documents administered within the departments of Natural Resources and Agriculture. Personal information includes, but is not limited to: date of birth, social security number, home address, personal mobile telephone number, medical or disability information, height, weight, and biometric identifiers that may be present on any document that the person is applying for or possesses. In relation to a business, it may be indicated on the application that the departments may reveal the address, telephone number and email address for the business, even if such information is the same as the individual's.

This legislation also amends Chapter 5 of Title 21 of the O.C.G.A., relating to ethics in government and the powers and duties of the Georgia Government Transparency and Campaign Finance Commission. The bill allows the Commission to seal any records from public inspection relating to concluded investigations when the Commission has determined that no violation occurred or that only a technical defect in a filing occurred. Furthermore, the bill delays any public notice regarding late or otherwise deficient filings of public officers until at least 30 days after the deadline for filing. This relates to filings by candidates for public office, filings by elected officials, and members of the General Assembly. In addition, the bill gives the Commission the discretion to waive late fees imposed on both public officers and lobbyists for such late or deficient registration filings.

HB 876

Wilkinson County; Board of Education; change description of districts

**Rep. James Epps of the 140th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Wilkinson County Board of Education.

HB 877

Fulton County; Board of Education; change description of districts

Rep. Jan Jones of the 46th

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Fulton County Board of Education.

HB 879

Elementary and secondary education; care of students with diabetes in school; provide

Rep. Matt Ramsey of the 72nd

House Committee on Health & Human Services

Bill Summary:

House Bill 879 requires the Department of Education and the Georgia Association of School Nurses to develop guidelines for training school employees in the care of students with diabetes. The local board of education will be required to train at least two school employees at each school with a diabetic student, and train all bus drivers responsible for a diabetic student in the recognition of diabetic emergencies. The parents of each student with diabetes will submit a diabetes medical management plan. Upon written request, the student will be allowed to perform the activities to regulate their condition in any area of the school grounds, and to possess all the necessary supplies and equipment to perform this monitoring.

HB 880

Professions and businesses; real estate professionals; change certain provisions

Rep. Alan Powell of the 29th

House Committee on Regulated Industries

Bill Summary:

House Bill 880 changes certain provisions relating to real estate professionals. It specifies that "appraisal management company" does not include a relocation company, and it states that a "relocation company" means a business entity that acts as an agent or contractor of an employer for the purposes of relocating their employees and determining an anticipated sales price of the residences of the employees being relocated. The definitions relative to real estate brokers and salespersons is amended to include a person who is a referral agent for the purpose of securing prospects for property management services and community association management services. The bill also modifies the qualifications to become an applicant for a broker or associate broker's license to include that an applicant 'maintain a license in active status for at least three of the last five years immediately preceding such examination.'

HB 880 allows the Georgia Real Estate Appraisers Board and the commissioner to issue a letter of findings to the appraiser if the alleged violation appears to have done no harm to a third party or to the public. Any action taken by the board or commissioner may be construed as a 'disciplinary sanction' or 'sanction.' Having a disciplinary letter of findings imposed on a member of the board is not grounds for removal from office. The definition of a felony conviction is modified to include an offense deemed a felony in another state. The bill allows the commissioner to consider disciplinary actions by another state's real estate brokerage licensing authority in determining the severity of a new sanction and removes the ability of the board to use the matters asserted in the notice of hearing for refusal of a new appraiser classification in the event that an appraisers classification lapses after the board has filed a notice of hearing but before the board enters a final order.

The obligations of the real estate education, research, and recovery fund, are modified to state that the amount that nothing shall be construed to obligate the fund from \$15,000 to \$25,000 per transaction, the liability of the fund for the acts of a licensee from \$45,000 to \$75,000, and that no person who establishes a proper claim or claims under this Code section shall ever obtain more than from \$15,000 to \$25,000. The bill removes the statement that the aggrieved person shall notify the commission in writing, by certified mail or statutory overnight delivery, return receipt requested and includes the right of the commission to object to a verified claim on the issue of whether or not the claim was in violation of this chapter.

HB 882

Lanier County; Board of Education; revise districts

**Rep. Jason Shaw of the 176th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Lanier County Board of Education.

HB 883

Lanier County; board of commissioners; revise districts

**Rep. Jason Shaw of the 176th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Lanier County Board of Commissioners.

HB 885

Dodge County; Board of Education; change description of districts

**Rep. Jimmy Pruett of the 144th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Dodge County Board of Education.

HB 886

Banking and finance; credit exposure as a counterparty in derivative transactions; limit certain obligations

**Rep. Bruce Williamson of the 111th
House Committee on Banks & Banking**

Bill Summary:

This legislation adds credit exposure as a counterparty in derivative transactions with any one person or corporation to the lending limits to such persons or corporations for state-chartered banks.

HB 892

Carroll County; board of education; change description of districts

**Rep. Kevin Cooke of the 18th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Carroll County Board of Education.

HB 895

Sexual Offender Registration Review Board; gathering information relating to sexual offenders; provide more effective methods

**Rep. Amy Carter of the 175th
House Committee on Judiciary Non-Civil**

Bill Summary:

House Bill 895 provides for more effective methods of gathering information relating to sexual offenders by expanding the Georgia Bureau of Investigation's (GBI) powers to assist the Sexual Offender Registration Review Board in gathering information relative to its sexual offender evaluations and transferring investigators from the Board to GBI.

HB 896

Sales tax; distribution for educational purposes; change certain provisions

Rep. Brooks Coleman of the 97th
House Committee on Ways & Means

Bill Summary:

This legislation is the enabling legislation to a constitutional amendment, which amends current law to prevent counties and independent school systems from operating under any other funding distribution formula than as is laid out in Art. VIII, Sec. VI, Paragraph IV (g) of the State Constitution.

HB 897

Georgia Workforce Investment Board; revise provisions

Rep. Michael Harden of the 28th
House Committee on Industrial Relations

Bill Summary:

House Bill 897 extensively revises the Georgia Workforce Investment Board provisions to allow the Board to promulgate the rules and regulations necessary to engage in workforce development, to include soft skill training in areas such as punctuality and attendance. The bill eliminates the Georgia Work Ready program.

HB 898

Georgia Merchant Acquirer Limited Purpose Bank Act; enact

Rep. Earl Ehrhart of the 36th
House Committee on Banks & Banking

Bill Summary:

House Bill 898 enacts the Georgia Merchant Acquirer Limited Purpose Bank Act by adding a new chapter to Title 7 of the Georgia Code. The following terms are defined in this legislation in §7-9-2:

- Commissioner - the commissioner of banking and finance;
- Corporation - includes corporations whether profit or non-profit, and professional or joint-stock association organized under the laws of the Georgia, the United States or a foreign country;
- Department – refers to the Department of Banking and Finance;
- Eligible Organization – a corporation, limited liability company, partnership or other entity, including an affiliate merchant acquirer limited purpose bank, that all times maintains an office in Georgia where it employs at least 250 residents of the state engaged in merchant acquiring activities or settlements including administrative support, information technology support, financial support, and tax and finance support;
- Holding Company – any company that controls a merchant acquirer limited purpose bank;
- Merchant Acquirer Limited Purpose Bank – a corporation chartered under this chapter and the activities of which are limited to those permitted under Code Section 7-9-11;
- Merchant acquiring activities - the various activities associated with effecting transactions within payment card networks, including: obtaining and maintaining membership in one or more payment card networks; signing up and underwriting merchants to accept payment card network branded payment cards; authorizing valid card transactions at client merchant locations; facilitating the clearing and settlement of transactions through a payment card network; providing access to one or more payment card networks to merchant acquirer limited purpose bank affiliates, customers, and customers of its affiliates; sponsoring the participation of merchant acquirer limited purpose bank affiliates, customers, or customers of its affiliates in one or more payment card networks; and conducting such other activities as may be necessary to effecting transaction within payment card networks;
- Payment Card Network – any organization or group that is organized to allow participants to accept or make payments for goods or services using a credit card, debit card, or any other payment device;
- Self-acquiring activities – the act of a merchant, for itself or through an affiliated entity, engaging in merchant acquiring or settlement activities on its own behalf for payments that it or its affiliated entity receives for goods and services that are provided to consumers; and,
- Settlement Activities- the processing of payment card transaction to send a payment card network for processing, to make payments to a merchant, and ultimately for cardholder billing.

The following provisions are also added to Chapter 9:

§7-9-3 •A corporation that performs merchant acquiring or settlement activities in this state may elect to obtain a charter from the department and will be subject to the provisions of this chapter and any rules and regulations adopted by the department for regulation purposes. The department will not have the authority to regulate a corporation performing merchant acquiring activities or settlement activities that has not been chartered.

§7-9-4 •The applicant shall pay applicable fees established by regulation of the department to defray the costs of the investigation and review of the application. •The department shall prescribe annual fees to be paid by each merchant acquirer limited purpose bank. •After one year of receiving its charter, the bank shall have no fewer than 50 employees located within Georgia, unless otherwise determined by the commissioner per paragraph (4) of Code Section 7-9-2.

§7-9-5 •The articles of incorporation of a merchant acquirer limited purpose bank shall include: bank name; street address and county where main office is located; name of initial registered agent; street address where its initial registered office will be located; a statement that 'This corporation is subject to the 'Georgia Merchant Acquirer Limited Purpose Bank Act;' the aggregate number of shares which the bank has the authority to issue to include their par value and class; the term for which the bank is to exist; and any provision not inconsistent with law which the incorporators may choose to include for the regulation of the internal affairs and business of the merchant acquirer limited purpose bank. •The applicant will file with the department, in triplicate, the articles of incorporation, together with any fee required by the department, which will be published in the official legal organ of the county where the bank will be located. The statement must be published once a week for two consecutive weeks with the first publication occurring within 10 days of receipt by the newspaper. •Each merchant acquirer limited purpose bank shall name a registered agent and inform the department and the Secretary of State of its current registered agent.

§7-9-6 •An application to the department to charter or to own or control a merchant acquirer limited purpose bank shall include: any information desired by the department in order to evaluate the proposed institution which shall be made available in the form specified by the department; a certificate of the Secretary of State showing that the proposed name of the merchant acquirer limited purpose bank has been reserved pursuant to Code Section 7-1-131; and applicable fees established by the regulation of the department to defray the expense of the investigation required by Code Section 7-9-7. A board of directors, consisting of at least three directors, a majority of whom are Georgia residents, will be responsible for the administration of business and affairs of the bank.

§7-9-7 •Upon receipt of the articles of the incorporation and the required filings and fees, the department shall ascertain whether it should approve the application by a determination of the following: the articles of incorporation satisfy the requirements; the character and fitness of the applicant, directors, and proposed officers warrant the belief that the business of the proposed bank will be honestly and efficiently conducted; and the capital structure of the bank is adequate in relation to the amount and character of the anticipated business. •The department will either approve or disapprove the proposed merchant acquirer limited purpose bank within 90 days of receipt of the articles of incorporation and filings and fees from the applicant. •In the event that an application is denied, the applicant may submit a new application at any time following notice of final denial.

§7-9-8 •The Secretary of State will issue a certificate of incorporation upon submission of: the department's written approval; an affidavit executed by the authorized agent or publisher of the newspaper providing that the articles of incorporation were published; and all required fees and charges.

§7-9-9 •The corporate existence of the bank shall begin upon the issuance of a certificate of incorporation by the Secretary of State. •Persons who subscribed for shares prior to the filing of the articles shall be shareholders in the merchant acquirer limited purpose bank. •The department will have full authority to regulate all activities regarding shares and all persons soliciting offers to subscribe for shares. •Any entity in the process of seeking approval will be classified as a merchant acquirer limited purpose bank in formation, and the initial directors will not be considered agents or broker-dealers. •A charter to begin business shall be issued to a bank by the department when: capital stock satisfies the requirements of Code Section 7-9-11; by-laws have been filed with the department; a registered agent and registered office has been designated in conformity with Code Section 7-1-132; the bank is ready to begin the business for which it was incorporated; all conditions imposed by the department to begin business have been satisfied; and the department has received an affidavit, signed by the president or secretary and at least a majority of the directors of the merchant acquirer limited purpose bank, attesting that the requirements have been satisfied.

§7-9-10 •Charter applicants which transact business before its capital stock has been paid in full shall be jointly and severally liable to creditors for the amounts not paid in by subscribers or any other deficiencies. Liability will be deemed an asset of the merchant acquirer limited purpose bank and may be enforced by it, its successors or assignees by a shareholder suing derivatively, or by a receiver appointed by the department.

§7-9-11 •Capital stock and paid-in surplus as required by the policies of the department must remain at no less than \$3 million at all times.

§7-9-12 •Deposits must only be accepted from a corporation, limited liability company, partnership, or other entity that owns a majority of the shares of the bank. •Business will not be conducted in a manner that attracts depositors from the general public, and no deposit may be withdrawn by the depositor by check or similar means for payment to third parties or others. •“Brokered deposits,” as defined in the Federal Deposit Insurance Act will not be accepted. •Deposit-taking activities will be conducted from only a single location within this state. •A merchant acquirer limited purpose bank may apply to receive deposit insurance from the Federal Deposit Insurance Corporation or its successor agency.

§7-9-13 •In the event that any chartered merchant acquirer limited purpose bank does not conduct its activities within the limitations provided in Code Section 7-9-11, the department may require the bank to cease all unauthorized activities. •If a bank fails to abide by that order, the department may: impose a penalty of up to \$10,000 per day, each day the order is violated; and require divestiture of such bank by any holding company not qualified to acquire such bank on the date it ceased to operate within the limitations imposed by Code 7-9-11 and became a bank for purposes of this title.

HB 899

Primaries and elections; dates of nonpartisan elections; provide

**Rep. Buzz Brockway of the 101st
House Committee on Governmental Affairs**

Bill Summary:

House Bill 899 is the annual "clean up" bill for the Elections Division of the Secretary of State's Office.

HB 900

Motor vehicles; cancellation of a certificate of title for scrap metal, dismantled or demolished trailers; provide

**Rep. Tom Rice of the 51st
House Committee on Motor Vehicles**

Bill Summary:

House Bill 900 provides for the cancellation of a certificate of title for scrap metal, dismantled, or demolished trailers in a manner similar to motor vehicles. Further, it allows the "scrapping" of a trailer without a title after signing an affidavit to the effect that the trailer is 12 years old or older and worth \$1,800 or less.

HB 902

Calhoun County; Board of Education; number of members and the districts where elected; provide

**Rep. Gerald Greene of the 149th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for the number of members of the Calhoun County Board of Education and the districts from which they are elected.

HB 903

Lower Chattahoochee Regional Airport Authority; remove Clay County and Quitman County from membership

**Rep. Gerald Greene of the 149th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to remove Clay and Quitman Counties from the Lower Chattahoochee Regional Airport Authority.

HB 904

Monroe County Probate Court; future elections for the office of judge shall be nonpartisan; provide

**Rep. Robert Dickey of the 136th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to provide for the nonpartisan election of the Probate Judge of Monroe County.

HB 905

Cobb County; Board of Commissioners; change description of districts

**Rep. Ed Setzler of the 35th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Cobb County Board of Commissioners.

HB 906

Pike County; Board of Education; change description of districts

**Rep. Billy Maddox of the 127th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Pike County Board of Education.

HB 907

Jackson County; board of commissioners; change description of districts

**Rep. Tommy Benton of the 31st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Jackson County Board of Commissioners

HB 908

Commerce, City of; Independent School Districts; change description of districts

**Rep. Tommy Benton of the 31st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the City of Commerce Board of Education.

HB 909

Jefferson, City of; public schools; change description of education districts

**Rep. Tommy Benton of the 31st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the City of Jefferson Board of Education.

HB 910

Upson County; board of commissioners; change description of districts

**Rep. Billy Maddox of the 127th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Upson County Board of Commissioners.

HB 911 (VETOED)

Putnam County; change compensation for certain officials

**Rep. Mickey Channell of the 116th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide compensation for the judge, the solicitor, and the clerk of the State Court of Putnam County.

HB 912

Columbia County; Board of Education; change description of districts

**Rep. Ben Harbin of the 118th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Columbia County Board of Education.

HB 913

Columbia County; Board of Commissioners; change description of districts

**Rep. Ben Harbin of the 118th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Columbia County Board of Commissioners.

HB 916

Bona fide conservation use property; covenants; change certain qualifications and restrictions

**Rep. David Knight of the 126th
House Committee on Ways & Means**

Bill Summary:

This legislation clarifies and adds specific documentation to the information that county boards of assessors need to qualify property for the conservation use covenant property program. Additionally, the bill allows for property owners who have entered property in the conservation use covenant program and who subsequently acquire contiguous property, to enter such property into the same covenant.

HB 921

Murray County; Board of Education; change description of districts

**Rep. Tom Dickson of the 6th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Murray County Board of Education.

HB 922

Chattooga County; board of education; revise districts

**Rep. Barbara Reece of the 11th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Chattooga County Board of Education.

HB 923

Richmond County; City of Augusta; change description of commissioner districts

**Rep. Henry "Wayne" Howard of the 121st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Augusta/Richmond County Board of Commissioners.

HB 924

Richmond County; school board; change description of districts

**Rep. Henry "Wayne" Howard of the 121st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Augusta/Richmond County Board of Education.

HB 925

McDuffie County; Board of Commissioners; change description of districts

**Rep. Sistie Hudson of the 124th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the McDuffie County Board of Commissioners.

HB 926

McDuffie County; Board of Education; change description of districts

**Rep. Sistie Hudson of the 124th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the McDuffie County Board of Education.

HB 927

Thomson, City of; city council; change description of election districts

**Rep. Sistie Hudson of the 124th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the City of Thomson City Council.

HB 928

Peace Officer's Annuity and Benefit Fund; board of trustees authorized to employ a hearing officer; provide

**Rep. Lynne Riley of the 50th
House Committee on Retirement**

Bill Summary:

This bill amends the Peace Officers' Annuity and Benefit Fund and authorizes the board to appoint and compensate a hearing officer for the purpose of holding hearings, compiling evidence and information, and submitting evidence, information, and recommendations to the board in any contested case. Current law only allows the board to appoint a hearing officer in disability cases, and this bill strikes such language. This bill also outlines the roles and responsibilities of the hearing officer, including the proper procedure for reporting findings to the board. This is a non-fiscal retirement bill.

HB 929

Judicial circuits; assistant district attorney for certain populations; repeal office

**Rep. Larry O'Neal of the 146th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to repeal the population Act creating the office of assistant district attorney in the Houston and Waycross Judicial Circuits.

HB 930

Judicial circuits; superior court judge for certain populations; repeal supplemental expense allowance

**Rep. Larry O'Neal of the 146th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to repeal the population act providing a supplemental expense allowance for the judges of the superior courts in the Houston and Waycross Judicial Circuits.

HB 931

Insurance; state domestic farmers' mutual fire insurance companies; update provisions

**Rep. Jason Shaw of the 176th
House Committee on Insurance**

Bill Summary:

House Bill 931 updates this state's domestic farmers' mutual fire insurance companies' provisions in the Insurance Code

HB 932

Taxation; nonresident subcontractor withholding payments; change required percentage

**Rep. Roger Williams of the 4th
House Committee on Regulated Industries**

Bill Summary:

HB 932 amends Code Section 48-8-63 relating to the payment of tax by contractors furnishing tangible personal property and services to change the required percentage of withheld payments due to a nonresident subcontractor from "up to 4 percent" to "2 percent."

HB 933

Preneed escrow accounts; release funds when a monument is placed into a bonded memorial storage program; provide

Rep. Carl Rogers of the 26th
House Committee on Regulated Industries

Bill Summary:

HB 933 amends the Official Code of Georgia Annotated, relating to funeral directors and establishments, embalmers, and crematories.

Section 1 is amended by revising the definitions of 'cremation' to include chemical or other professionally accepted processes and 'funeral service' to include cremation. It is further amended by adding paragraph 16.1 to define the term 'funeral director in full and continuous charge.'

In Section 2, the duties of registrant and written contract is amended by defining the term 'signing' to include any manual, facsimile, conformed, or electronic signature. 'Electronic signature' means an electronic symbol or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.

Section 3 modifies the definitions of 'cremation' and 'funeral' or 'funeral services.' The definition of 'cremation' is extended to include any mechanical, chemical, thermal, or other professionally accepted process whereby human remains are pulverized, burned, re Cremated, or otherwise further reduced in size or quantity. The definition of 'funeral' or 'funeral services' is extended to include any service relating to the transportation, embalming, cremation, and interment of a dead human body.

Section 4 includes funeral and cremation societies and associations as well as other similar societies, plans, or associations in licensing, registration and discipline.

In Section 5, the period of apprenticeship is amended to allow an apprentice to earn hours while attending a postgraduate school or a program at an accredited college of funeral service or other college approved by the board.

Section 6, relates to definitions applicable to cemetery and funeral services and is amended by changing the term 'board' to 'boards' and extending the definition to include the State Board of Funeral Services.

Section 7 states that the secretary of state shall delegate authority to the appropriate board for the review of investigations and the determination as to disciplinary matters, necessary sanctions, and the enforcement of such decisions and sanctions. The authority to promulgate rules and regulations and make disciplinary and sanctioning decisions shall be delegated to the State Board of Funeral Service for funeral services and persons other than cemeterians who offer for sale or sell burial or funeral merchandise and the State Board of Cemeterians for cemeteries and cemeterians.

Sections 8 and 9 allow for a person already licensed by the Board of Funeral Service as a funeral services director in full and in continuous charge or an owner of a cemetery licensed by the State Board of Cemeterians as a cemeterian to be excluded from the preneed dealer registration process, and deems those positions as a preneed dealer. The application for registration can be sent by statutory overnight delivery.

Section 10 states that any preneed contract provided by an insurance agent shall not reference or name any funeral service provider unless such contract is signed by the director of such establishment. The bill further states that any preneed insurance policy must be signed by the insurance agent, consumer, and licensed funeral director of the named establishment. Also, when a funeral establishment is named in a preneed insurance policy that establishment shall be designated the assignee of the insurance benefit funds.

Section 11, relating to preneed escrow accounts, is amended to state that the provisions of this Code section shall apply only to preneed dealers not governed by the provisions of Code Section 10-14-7.1. §10-14-7 is further amended to include trusts when referring to preneed escrow accounts. The bill also includes bench, coping, and other burial and funeral merchandise items in the calculation for the amount of funds that may be deposited into a trust or escrow account. If a preneed account is maintained with a trustee, the assets of the account shall be invested and reinvested by the trustee subject to all terms, conditions, limitations, and restrictions imposed by Georgia law. The trustee of the preneed account shall have full power to hold, purchase, sell, assign, transfer, reinvest, and dispose of the accounts securities and investments including proceeds. Code Section 10-14-7 is further amended by allowing the funds to be released within the time required by law after a purchaser requests a refund. The preneed dealer is considered to have delivered burial or funeral merchandise when the burial or funeral merchandise is; actually delivered at the time of need, actually delivered at the request of the purchaser, when a monument is attached to realty, when the monument is manufactured and placed into third party storage.

Section 12 creates a new Code section that allows funeral establishments, funeral directors, or an agent, representative, or employee of the funeral director or funeral establishment to deposit funds into an individual trust fund that is: titled in the name of the funeral establishment; established to provide preneed funeral services; payable upon death of the purchaser; and refundable to the purchaser's designee following deductions of owed taxes and a 3 percent administrative charge where funeral services are not provided by the funeral establishment. One hundred percent of the funds to be held in the trust shall be deposited in the trust account within 30 days following the end of the month in which any payment was received. The trust agent of a preneed account shall have full power to hold, purchase, sell, assign, transfer, reinvest, and dispose of any securities and investments related to the account. The trust agent shall be authorized to invest funds in interest-bearing deposits and direct and general obligations of the United States government, obligations guaranteed by the United States government, and obligations of the agencies of the United States government. The trust agent may hold the obligations directly or through an open-end or closed-end management type investment company. Any person holding money in trust shall register with the secretary of state. The secretary of state shall establish rules relating to the investments of trust funds. The funeral establishment owners, funeral director, or employee, representative, or agent of a funeral director shall be held jointly and severally liable for any deficiencies in a trust account upon a finding of fraud, theft, or misconduct by a court.

HB 934

State agencies; guaranteed energy savings performance contracts; change certain provisions

**Rep. Don Parsons of the 42nd
House Committee on Energy, Utilities & Telecommunications**

Bill Summary:

This legislation clarifies the ability of cities to enter into energy performance savings contracts and the provisions to which they shall adhere when exercising the authority to execute said contracts. In addition, the bill also opens the list of qualified energy services providers maintained by the Georgia Environmental Finance Authority to allow additions of providers at any point to prequalify.

HB 940

Georgia Public Defender Standards Council; pay attorney in event of conflict of interest in capital cases; change certain provisions

**Rep. B.J. Pak of the 102nd
House Committee on Judiciary Non-Civil**

Bill Summary:

In the event a capital defender is unable to represent a defendant in a capital felony case, House Bill 940 requires the attorney appointed by the Georgia Public Defender Standards Council to receive approval from the assigned judge of his or her attorney's fees prior to submission to the council for payment.

HB 941

Houston County; Board of Education; change description of districts

**Rep. Larry O'Neal of the 146th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Houston County Board of Education.

HB 942

Official Code of Georgia; revise, modernize and correct errors or omissions

**Rep. Wendell Willard of the 49th
House Committee on Judiciary**

Bill Summary:

House Bill 942 revises, modernizes and corrects errors and omissions in the following titles of the O.C.G.A.: Title 5, Appeal and Error; Title 7, Banking and Finance; Title 8, Building and Finance; Title 10, Commerce and Trade; Title

12, Conservation and Natural Resources; Title 13, Contracts; Title 15, Courts; Title 16, Crimes and Offenses; Title 17, Criminal Procedure; Title 20, Education; Title 24, Evidence; Title 25, Fire Protection and Safety; Title 26, Food, Drugs and Cosmetics; Title 27, Game and Fish; Title 29, Guardian and Ward; Title 31, Health; Title 32, Highways, Bridges and Ferries; Title 33, Insurance; Title 34, Labor and Industrial Relations; Title 35, Law Enforcement Officers and Agencies; Title 36, Local Government; Title 37, Mental Health; Title 38, Military, Emergency Management and Veterans Affairs; Title 42, Penal Institutions; Title 43, Professions and Businesses; Title 44, Property; Title 45, Public Officers and Employees; Title 46, Public Utilities and Transportation; and Title 48, Revenue.

HB 944

Official Code of Georgia; retirement and pensions; revise, modernize, and correct errors or omissions

**Rep. Wendell Willard of the 49th
House Committee on Judiciary**

Bill Summary:

House Bill 944 revises, modernizes and corrects errors and omissions in Title 47, Retirement and Pensions of the O.C.G.A.

HB 945

Banks and trust companies; issuance of non-cash valued shares with approval; provide

**Rep. Sam Teasley of the 38th
House Committee on Banks & Banking**

Bill Summary:

House Bill 945 amends the Georgia Code as it relates to banks and trust companies by allowing the issuance of non-cash valued shares by a bank or trust company with the approval of the Department of Banking and Finance. In the cases of reorganization, rehabilitation, merger, consolidation, or incident, shares of a bank or trust company may be issued only for cash in an amount which shall be at least the aggregate par value of the share, unless otherwise approved by the department with demonstration of good cause. Dividends may be declared and paid in cash or property only out of retained earnings of the bank or trust company unless otherwise approved in advance by the department on terms with standards of safety and soundness.

HB 946

Mortgage lenders and brokers; certain mortgage activities without a license; prohibit

**Rep. Sam Teasley of the 38th
House Committee on Banks & Banking**

Bill Summary:

House Bill 946 makes the following changes to the Georgia Code relating to the licensing of mortgage lenders and brokers:

- No person will be allowed to engage directly or indirectly in activities as a mortgage broker, lender, or loan originator or represent themselves as being authorized as such unless licensed to do so or exempted from being licensed.
- An individual must not have been the subject of a final determination by the Mortgage Testing Education Board of Nationwide Mortgage Licensing System and Registry for violation of the rules and conduct for test takers sitting for any written national or state licensing test within the previous five years.
- The written test may be offered three consecutive times for passage, as long as there are 30 days in between each test.
- The department is not required to revoke or not issue a license to a person engaging in the mortgage business that has been convicted of a felony but receives a pardon that restores their rights that had been previously taken away by a conviction.
- A mortgage lender whose license or registration has expired or been revoked, suspended, or surrendered from servicing residential mortgage loans for itself or other mortgage lenders will be granted six months to follow through with written servicing contracts that were in existence on the last day the license or registration was active.

HB 947

Warren County; Board of Education; change description of districts

**Rep. Sistie Hudson of the 124th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Warren County Board of Education.

HB 954

Abortion; criminal abortion; change certain provisions

**Rep. Doug McKillip of the 115th
House Committee on Judiciary Non-Civil**

Bill Summary:

House Bill 954 prevents abortion after 20 weeks except if the pregnancy is diagnosed as medically futile or in reasonable medical judgment the abortion is necessary to avert the death or serious risk to the pregnant woman or preserve the life of the unborn child. It also provides for additional reporting requirements of a doctor who performs or attempts to perform an abortion by also including the gestational age of the fetus and the medical emergency that allowed the abortion.

HB 955

Georgia Life and Health Insurance Guaranty Association; provide comprehensive revision of the provisions

**Rep. Bill Hembree of the 67th
House Committee on Insurance**

Bill Summary:

House Bill 955 provides for comprehensive revision of the provisions relating to the Georgia Life and Health Insurance Guaranty Association.

HB 956

Berkeley Lake, City of; change corporate limits

**Rep. Tom Rice of the 51st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the corporate limits of the City of Berkeley Lake.

HB 957

Social Circle, City of; School District; change description of education districts

**Rep. Bruce Williamson of the 111th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Social Circle Board of Education.

HB 958

Crawford County; Board of Education; change description of districts

**Rep. Robert Dickey of the 136th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Crawford County Board of Education.

HB 959

Crawford County; Board of Commissioners; revise districts

**Rep. Robert Dickey of the 136th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Crawford County Board of Commissioners.

HB 962

Bibb County; board of commissioners; change description of districts

**Rep. Nikki Randall of the 138th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Bibb County Board of Commissioners.

HB 963

Bibb County; Board of Public Education; change description of districts

**Rep. Nikki Randall of the 138th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Bibb County Board of Education.

HB 965

Income tax; allow certain fiduciaries an exception to the requirement of paying estimated taxes

**Rep. David Knight of the 126th
House Committee on Ways & Means**

Bill Summary:

This legislation clarifies the requirement to remit estimated income tax by fiduciaries to coincide with federal law by removing the requirement of filing such taxes two years after the death of the decedent in relation to the estate of such decedent and a testamentary trust. Additionally, the legislation alters the taxation of partnerships, Subchapter S corporations and limited liability companies to require the withholding of taxes from only non-resident members of such entities on the share of taxable income that the entity had in a given tax year. This change is to clarify the withholding practices for resident members of the types of entities mentioned above due to the requirement that such income is already required to be present on the filer's state income tax return.

HB 967

Income tax; withholding tax on taxable income of nonresident members of certain associations; change certain provisions

**Rep. David Knight of the 126th
House Committee on Ways & Means**

Bill Summary:

This legislation alters the taxation of partnerships, Subchapter S corporations and limited liability companies so as to require the withholding of taxes from only non-resident members of such entities on the share of taxable income that the entity had in a given tax year. This change is to clarify the withholding practices for resident members of the types of entities mentioned above; due to the requirement that such income is already required to be present on the filer's state income tax return.

HB 969

White County; Board of Education; provide for new districts

**Rep. Terry Rogers of the 10th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the White County Board of Education.

HB 970

White County; Board of Commissioners; provide new districts

**Rep. Terry Rogers of the 10th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the White County Board of Commissioners.

HB 971

Workers' compensation; awards and benefits; change certain provisions

**Rep. Bill Hembree of the 67th
House Committee on Industrial Relations**

Bill Summary:

This is a housekeeping bill of the State Board of Workers' Compensation to enhance and simplify the application of the Workers' Compensation Act. It provides protection for underrepresented employees in the settlement process, allows statistical data to be reported electronically and avoids technical penalties caused by system malfunction. It streamlines the settlement process in certain death cases and brings the hearing loss section current with medical science and national standards.

Further, it provides that no governmental entity that contracts for public works construction shall in its bid documents, specifications, project agreements, or other controlling documents for a public works construction contracts require the bidders to use unionized labor.

HB 972

Georgia Pain Management Clinic Act; enact

**Rep. Tom Weldon of the 3rd
House Committee on Health & Human Services**

Bill Summary:

Section 1 adds the following power and duties to the Georgia Composite Medical Board to: license and regulate pain management clinics; establish minimum standards for prescribing controlled substances for pain management, and accept any gifts, grants, donations, and other funds to assist in enforcing this chapter.

Section 2 defines "chronic pain" as pain treated for a period of 90 days or more in a year, but should not include pain surrounding a surgery. It defines "license" as a valid and current certificate of registration issued by the Georgia Composite Medical Board. A "nonterminal condition" is defined as a medical condition which is reversible, where there is reasonable hope of recovery, and where the patient's medical prognosis is a life expectancy of two years or more. Finally, it defines a pain management clinic as a medical practice that advertises "treatment of pain," or uses "pain" in the name of the clinic, or a medical practice with more than 50 percent of its patient population being treated for chronic pain for nonterminal conditions with the use of Schedule II or III controlled substances.

In §43-34-283, the bill sets requirements for all pain management clinics to be licensed by the Board biennially. Each location will need to be licensed. It requires that every owner of a pain management clinic be a Georgia licensed physician and the Board will make a thorough investigation of the license applicant before issuing the license. Whenever a prohibited action is taken by a pain management clinic, the owners of the clinic will be liable. This section also requires the clinic

owners and physicians who practice within these clinics to comply with the minimum standards of practice for physicians and the laws and rules and regulations of the Board, which has the right to deny or refuse to renew a pain management clinic license if it would not be in the public interest. No pain management clinic shall be open to the public unless someone approved to prescribe controlled substances is on-site. The Board has the right to enter into agreements with other states or with third parties for the purpose of exchanging information concerning licensure of any pain management clinic.

Within §43-34-284, the Board is empowered to deny, suspend, or revoke a licensee under the following circumstances: the clinic provided false or fraudulent material information in any application; a physician or owner has been convicted of a crime under any law relating to any controlled substance; a physician or owner has had their federal registration to prescribe, distribute, or dispense controlled substances suspended or revoked; or a physician or owner violated the provisions of this chapter.

Clinics are required to notify the Board of changes under the following circumstances: permanent closing; change of ownership, management, or location; change of physicians practicing; any theft or loss of drugs or devices; any known conviction of any employee; disasters, accidents, theft, destruction, or loss of records; and any and all matters the Board may require by rules.

All pain management clinics that dispense controlled substances or dangerous drugs shall be registered with the Georgia State Board of Pharmacy.

The bill provides that all licenses will expire biennially unless renewed. Renewal applications should be filed with the Board prior to the expiration date, accompanied by the renewal fee. A license that has expired can renew after application within the time period established by the Board. Any reinstatement of licenses will be at the discretion of the Board. Owners and physicians practicing in the pain management clinic must meet continuing education and training requirements required by rule.

Section 3 requires any coroner's or medical examiner's report that indicates a death may be a result of medication administered or prescribed or conducted by an individual licensed under Chapter 34 of Title 43, or if the individual was under the direct supervision of such a person, any supporting evidence and a certified copy of the report must be promptly sent to the Georgia Composite Medical Board.

HB 973

Bryan County; Board of Commissioners; change description of districts

Rep. Ron Stephens of the 164th

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Bryan County Board of Commissioners.

HB 975 (VETOED)

Habersham County; school district ad valorem tax; provide homestead exemption

Rep. Terry Rogers of the 10th

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A bill to provide a homestead exemption from Habersham County school district ad valorem taxes for educational purposes in the amount of \$130,000.00 of the assessed value of the homestead for residents of that school district who are 65 years of age or older and which grants a homestead exemption on the full value of the homestead for residents who are totally and permanently disabled and repeals and replaces other local acts.

HB 976

Hart County; Board of Commissioners; change description off districts

Rep. Alan Powell of the 29th

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Hart County Board of Commissioners.

HB 977

Hart County; Board of Education; change description of districts

**Rep. Alan Powell of the 29th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Hart County Board of Education.

HB 978

Cherokee County; Board of Education; revise districts

**Rep. Mark Hamilton of the 23rd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Cherokee County Board of Education.

HB 979

Cherokee County; board of commissioners; revise districts

**Rep. Mark Hamilton of the 23rd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Cherokee County Board of Commissioners.

HB 980

Gainesville, City of; board of education; revise districts

**Rep. Carl Rogers of the 26th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the City of Gainesville Board of Education.

HB 985

Motor Vehicles; temporary license plates; modify provisions

**Rep. Alan Powell of the 29th
House Committee on Motor Vehicles**

Bill Summary:

House Bill 985 modifies provisions relating to temporary license plates for motor vehicles. It provides for an extension of time for registration of motor vehicles under certain circumstances and removes lamination requirements for motor vehicle decals. It provides for the furnishing of motor vehicle driver information to the Department of Revenue for the purpose of detecting fraud.

HB 986

Insurance; dispute or complaint involving material not in English, the English version shall control the resolution; provide

**Rep. Bill Hembree of the 67th
House Committee on Insurance**

Bill Summary:

House Bill 986 provides that in the event of a dispute or complaint arising involving insurance related material not in English, the English version of the material shall control the resolution of the dispute or complaint.

HB 987

Peace Officers' Annuity and Benefit Fund; member who ceases to be employed shall notify the retirement fund immediately; provide

**Rep. Lynne Riley of the 50th
House Committee on Retirement**

Bill Summary:

This bill amends provisions relating to the Peace Officers' Annuity and Benefit Fund. Under this legislation, a member is required to immediately notify the board if a change of employment or job description no longer qualifies that member as a "peace officer." Additionally, the board is not authorized to accept membership dues from such a member to pay benefits. This is a non-fiscal retirement bill.

HB 990

Municipal corporations; control over parks and fire stations; change certain provisions

**Rep. Jan Jones of the 46th
House Committee on Governmental Affairs**

Bill Summary:

House Bill 990 requires all remaining Special Service District taxes and earnings on the taxes in an area that incorporated would be transferred yearly to the respective city. Secondly, the bill requires the sale of park land within the boundaries of a new city if the land was classified as a park at the time of incorporation.

HB 991

Sheriffs; how vacancies are filled; change provisions

**Rep. Billy Maddox of the 127th
House Committee on Governmental Affairs**

Bill Summary:

House Bill 991 changes how vacancies are filled in the office of Sheriff. Under this bill, a vacancy in the Sheriff's Office will be filled by the chief deputy sheriff until a special election can be held. If there is no chief deputy sheriff, the probate judge will appoint a replacement. In the instance there are six months or less until the term expires, the replacement will serve until the expiration of the term.

HB 994

Ad valorem taxation; preferential assessment of brownfield property; extend under certain circumstances

**Rep. Edward Lindsey of the 54th
House Committee on Ways & Means**

Bill Summary:

This legislation allows property owners, whose property qualifies under the "Georgia Hazardous Site Reuse and Redevelopment Act" and has filed for preferential assessments under the Act, to swear out an affidavit stating periods of inactivity after it has suffered a stoppage in redevelopment for a period of more than 180 days. After documentation has been provided to the county's board of assessors, one additional year is to be granted for every 365 days of inactivity, as long as the total period of preferential assessments last no longer than 15 years.

HB 997

Crimes and offenses; new crime of false lien statements against public officers; provide

**Rep. B.J. Pak of the 102nd
House Committee on Judiciary Non-Civil**

Bill Summary:

House Bill 997 makes it a felony for someone to intentionally file a false lien or encumbrance on record against a public officer or employee based on the performance of that officer or employee's official duties.

HB 998

Chatham County; board of commissioners; change description of districts

**Rep. Ron Stephens of the 164th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Chatham County Board of Commissioners.

HB 999

Chatham County; City of Savannah; board of education; change description of districts

**Rep. Ron Stephens of the 164th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Savannah-Chatham County Board of Education.

HB 1000

Irwin County; Board of Commissioners; change description of districts

**Rep. Jay Roberts of the 154th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Irwin County Board of Commissioners.

HB 1001

Irwin County; Board of Education; change description of districts

**Rep. Jay Roberts of the 154th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Irwin County Board of Education.

HB 1002

Ben Hill County; Board of Commissioners; change description of districts

**Rep. Jay Roberts of the 154th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Ben Hill County Board of Commissioners.

HB 1003

Telfair County; Board of Commissioners; change description of districts

**Rep. Jay Roberts of the 154th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Telfair County Board of Commissioners.

HB 1004

Coffee County; board of commissioners; change description of districts

Rep. Chuck Sims of the 169th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Coffee County Board of Commissioners.

HB 1005

Coffee County; Board of Education; change description of districts

Rep. Chuck Sims of the 169th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Coffee County Board of Education.

HB 1006

Chamblee, City of; corporate limits; change

Rep. Elena Parent of the 81st
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to change the corporate limits of the City of Chamblee.

HB 1007

Liberty County; Board of Commissioners; change description of districts

Rep. Al Williams of the 165th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Liberty County Board of Commissioners.

HB 1008

Liberty County; Board of Education; change description of districts

Rep. Al Williams of the 165th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Liberty County Board of Education.

HB 1009

Worth County; board of commissioners; reapportion districts

Rep. Buddy Harden of the 147th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Worth County Board of Commissioners.

HB 1010

Worth County; Board of Education; reapportion districts

**Rep. Buddy Harden of the 147th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Worth County Board of Education.

HB 1011

Clarke County; City of Athens; board of education; change districts

**Rep. Keith Heard of the 114th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Athens-Clarke County Board of Education.

HB 1012

Commerce, City of; board of commissioners; change description of districts

**Rep. Tommy Benton of the 31st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the City of Commerce Board of Commissioners.

HB 1013

Jackson County; School System; change description of districts

**Rep. Tommy Benton of the 31st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Jackson County Board of Education.

HB 1014

Lavonia, City of; corporate limits; change and extend

**Rep. Alan Powell of the 29th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the corporate limits of the City of Lavonia.

HB 1015

Jenkins County; board of commissioners; revise districts

**Rep. Jon Burns of the 157th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Jenkins County Board of Commissioners.

HB 1016

Franklin County; board of commissioners; change description of districts

**Rep. Alan Powell of the 29th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Franklin County Board of Commissioners.

HB 1017

Franklin County; Board of Education; change description of districts

**Rep. Alan Powell of the 29th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Franklin County Board of Education.

HB 1018

Grady County; board of education; change description of districts

**Rep. Gene Maddox of the 172nd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Grady County Board of Education.

HB 1019

**DeKalb County; City of Doraville; filling of vacancies in offices of mayor and councilmember;
provide**

**Rep. Elena Parent of the 81st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for the filling of vacancies in the offices of mayor and councilmember in the City of Doraville.

HB 1020

Evans County; board of commissioners; change description of districts

**Rep. Delvis Dutton of the 166th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Evans County Board of Commissioners.

HB 1021

Evans County; Board of Education; change description of districts

**Rep. Delvis Dutton of the 166th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Evans County Board of Education.

HB 1022

Lowndes County; board of commissioners; change description of districts

**Rep. Amy Carter of the 175th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Lowndes County Board of Commissioners.

HB 1023

Polk County; Board of Education; revise districts

**Rep. Rick Crawford of the 16th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Polk County Board of Education.

HB 1024

Budget commission; certain counties; population and census application; revise and change

**Rep. Tom Rice of the 51st
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to amend the population Act creating a budget commission in Fulton County so as to change the census numbers and remove Gwinnett County from its application.

HB 1025

DeKalb County State Court; change certain fees

**Rep. Mary Oliver of the 83rd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to amend the Act creating the State Court of DeKalb County so as to change and provide for certain fees.

HB 1026

Municipalities; law enforcement contracts; population brackets and census; change provisions

**Rep. Donna Sheldon of the 105th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to amend the population Act providing for contracts between the sheriff and cities in Fulton County so as to change the census numbers and remove Gwinnett from its application.

HB 1027

Revenue and taxation; tax credit for film or video production in Georgia; change certain provisions

**Rep. Ron Stephens of the 164th
House Committee on Ways & Means**

Bill Summary:

House Bill 1027 clarifies §48-7-40.26 to preclude the tax credit for film or video going for expenditures related to footage shot outside of the state and development costs, including the story right's cost. Also, the legislation requires that a static or animated Georgia logo be inserted in the credits before the crew line, unless specifically prohibited by federal law or contractual obligations at which time the production company may submit a financially equivalent plan of advertising to the Department of Economic Development. The bill ensures that local interest programming, instructional videos, corporate videos, or any project not recorded within the state are not eligible for the credit. Additionally, any company that acts as a

subcontractor of a production company that will be the end recipient of the credit must register with the secretary of state as a business operating within the state and withhold income taxes on the wages paid to employees. Lastly, the legislation clarifies §48-7-40.24 to stipulate that a business and their "affiliates," as defined by Section 1504(a) of the Federal Internal Revenue Code, be counted together for purposes of the job maintenance requirement under this provision to be able to continue the use of the tax credit.

HB 1028

Laurens County; Board of Education; change description of districts

**Rep. Matt Hatchett of the 143rd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Laurens County Board of Education.

HB 1029

Screven County; Board of Education; revise districts

**Rep. Jon Burns of the 157th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Screven County Board of Education.

HB 1031

Greene County; board of education; change compensation for chairperson and members of board

**Rep. Mickey Channell of the 116th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide compensation to the chairperson and members of the Greene County Board of Education.

HB 1037

Madison County; Board of Education; revise districts

**Rep. Tom McCall of the 30th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Madison County Board of Education.

HB 1038

Madison County; Board of Commissioners; revise districts

**Rep. Tom McCall of the 30th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Madison County Board of Commissioners.

HB 1039

Montgomery County; Board of Commissioners; change description of districts

**Rep. Greg Morris of the 155th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Montgomery County Board of Commissioners.

HB 1040

Glascok County; Board of Education; revise districts

**Rep. Sistie Hudson of the 124th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Glascok County Board of Education.

HB 1041

Bartow County; Board of Education; change description of districts

**Rep. Paul Battles of the 15th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Bartow County Board of Education.

HB 1048

Civil practice; who may serve process; change provisions

**Rep. Wendell Willard of the 49th
House Committee on Judiciary**

Bill Summary:

House Bill 1048 allows for the appointment of permanent process servers by the courts as well as statewide service by these process servers while removing the sheriff's gatekeeper provision. In addition, HB 1048 adds a filing fee for an application to be appointed as a certified process server.

HB 1049

Georgia Emergency Telephone Number 9-1-1 Service Act of 1977; change applicability and requirements; change certain definitions

**Rep. Wendell Willard of the 49th
House Committee on Energy, Utilities & Telecommunications**

Bill Summary:

House Bill 1049 makes changes to the 'Georgia Emergency Telephone 9-1-1 Service Act of 1977.'

It requires Voice over Internet Protocol service suppliers to register certain information with the director of emergency management.

The term "prepaid wireless service" is defined as when a telephone subscriber pays a wireless service supplier in advance for a wireless telecommunications connection as follows: sold in predetermined units or dollars which expire without an additional retail purchase and the number of which declines with use in a known amount; is not offered in conjunction with other communications services for which the terms permit payments in arrears; the charges are not billed to any telephone subscriber or other person; and the charges are not provided to a telephone subscriber or other person in a monthly statement. The definition of prepaid wireless service includes, without limitation, calling or usage privileges included in the purchase of a wireless telephone as well as a calling card, a call, or an internet transaction.

A wireless service provider is not authorized to recover any costs through providing wireless enhanced 9-1-1 services with respect to any prepaid wireless services.

The word "telecommunications" is removed from the definition of "consumer" in regards to the purchase of prepaid wireless service transactions.

"Wireless telecommunications service" is defined as commercial mobile radio service as defined by 47 CFR (Code of Federal Regulations).

If a minimal amount of prepaid wireless service is separately priced and sold as part of a single retail transaction that does not contain a prepaid wireless device or service, then the seller may elect not to apply the \$0.75, 9-1-1 fee to such transaction.

HB 1051 (VETOED)

Public transit authorities; suspension of restrictions on use of annual proceeds from sales and use taxes; repeal provisions

**Rep. Mike Jacobs of the 80th
House Committee on Transportation**

Bill Summary:

This bill repeals the provisions in the O.C.G.A. relating to the membership of the Metropolitan Atlanta Rapid Transit Authority (MARTA) Board and the 50/50 split of funds passed in the 'Transportation Investment Act of 2010.' While this legislation did pass both chambers, it will not go into effect because its companion legislation, HB 1052 rewriting the 'MARTA Act of 1965' did not pass and will not be signed into law.

HB 1052

Metropolitan Atlanta Rapid Transit Authority Act of 1965; reconstitute board of directors

**Rep. Mike Jacobs of the 80th
House Committee on Transportation**

Bill Summary:

This legislation updates and changes provisions of the 'Metropolitan Atlanta Rapid Transit Authority (MARTA) Act of 1965.'

Section 1 revises the board terms and membership. The members will serve staggered terms and the executive director of the Georgia Regional Transportation Authority will be a voting member. The planning director at the Georgia Department of Transportation will serve as a non-voting member of the board. The two members from North Fulton would be elected by a caucus of the mayors in the municipalities lying north of Atlanta. Four members will be from DeKalb County with three of the four being appointed by the County Board of Commissioners and the fourth being voted on by a majority vote of a caucus of mayors of the municipalities located wholly in DeKalb County.

Section 2 requires that contracts given for professional services (attorneys, consultants, engineers, etc) where the amount involved is \$5,000 or more in any one year period be solicited and awarded through requests for proposals following the generally accepted government procurement standards or through procedures otherwise required by federal law.

Section 3 allows MARTA to post financial reports on their website. The Authority is required to send an electronic notice of publication to each local governing body of each participating local government of the Metro Atlanta area.

Section 4 requires the Capital Improvement Budget to include a ten year history of implementation and execution results.

Section 5 relaxes the 50/50 split through June 30, 2016, and while Section 6 provides an effective date of January 1, 2013, it provides that appointments to the Board of Directors of the Authority pursuant to Section 1 shall become effective for all other purposes on January 1, 2013.

HB 1056

Ad valorem taxation; motor vehicles; clarify application to be consistent with federal provisions

**Rep. Paul Battles of the 15th
House Committee on Ways & Means**

Bill Summary:

This legislation clarifies existing law to bring Georgia law in concurrence with federal law, specifically the 'Service Members Civil Relief Act.' The bill deals with the ad valorem taxation of a non-resident service member's motor vehicle to clarify that the motor vehicle must be a private passenger motor vehicle. It removes the limitation that a service member may only be a joint owner in one vehicle which receives this exemption; this ensures that two jointly-owned vehicles between spouses are exempt, regardless if one spouse is a service member and the other spouse is a civilian. Additionally, this does not impact any requirement that the service member must remit ad valorem taxes in their home state, if required.

HB 1057

Jenkins County; board of education; revise districts

Rep. Jon Burns of the 157th

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Jenkins County Board of Education.

HB 1059

Burke County; Board of Commissioners; change description of districts

Rep. Gloria Frazier of the 123rd

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Burke County Board of Commissioners.

HB 1060

Burke County; Board of Education; change description of districts

Rep. Gloria Frazier of the 123rd

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Burke County Board of Education.

HB 1063

Troup County Airport Authority; change membership of authority

Rep. Carl Epps of the 128th

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to change the membership of the Troup County Airport Authority.

HB 1065

Alcoholic beverages; tax payment and reporting by licensees; change certain provisions

Rep. Roger Williams of the 4th

House Committee on Regulated Industries

Bill Summary:

House Bill 1065 amends Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages.

Section 1 clarifies the language related to unpaid taxes. Section 2 allows photocopies or electronic copies of records and mandates that invoices sufficient to cover current inventory be maintained at the licensed location and be made available for immediate inspection. All other records may be maintained at a different location and be made available to the commissioner within two business days. Section 3 removes obsolete language relating to the phase-in of a 1992 excise tax reporting system. It is further amended by changing the day the taxes shall be remitted from the tenth to the fifteenth day of the following month in which the distilled spirits were disposed of or sold and by removing the language regarding alcohol excise tax and distilled spirits and alcohol stamps. Finally, Section 4 adds that the tax shall be paid on or before the tenth day of the month following the disposal or sale of the distilled spirits.

HB 1066

Alcoholic beverages; licenses; change certain provisions

**Rep. Roger Williams of the 4th
House Committee on Regulated Industries**

Bill Summary:

House Bill 1066, Section 1, revises the dates future licenses may be issued and renewed. On or after July 1, 2013, licenses for retailers and retail dealers shall be issued for a 12-month period rather than a calendar year and for the renewal application to be received 60 to 90 days prior to expiration rather than on or before November 1. The effective day and expiration day shall be clearly marked on the license.

Section 2 includes an annual occupational license tax of \$100.00 upon each special event use permit application. It is further amended to state that an annual occupational license tax shall be paid for each place of business operated and that payment shall be submitted immediately upon assuming control and annually thereafter.

Section 3 states that any distilled spirits possessed, sold, or offered for sale by a retail dealer which are purchased or acquired from a person other than an authorized wholesale dealer are declared to be contraband and shall be seized and disposed of by the commissioner.

Code Section 3-4-111.1 is amended in Section 4 to require an annual occupational license tax to be paid for each place of business operated and that an application for a retail consumption dealer's license and payment of the required tax shall be submitted immediately upon assuming control and annually thereafter.

Sections 5 and 6 include an annual occupational license tax of \$50.00 upon each special event use permit application. It is further amended to state that an annual occupational license tax shall be paid for each place of business operated and that an application for the applicable license and payment of the required tax shall be submitted immediately upon assuming control and annually thereafter.

Section 7 adds Code Section 3-14-1, which states that the commissioner may issue a special event use permit for the sale of alcoholic beverages for certain events which would otherwise require a retail or retail dealer's license. Special event use permits shall not be valid for more than 10 days. The commissioner shall specify by rule or regulation the events that shall qualify for a special event use permit. Estate sales, the sale of inventory authorized under a bankruptcy proceeding, and similar activities shall qualify for the special event use permit.

HB 1067

Portable electronics insurance; issuance and regulation of limited licenses to sell; provide for comprehensive revision of provisions

**Rep. Carl Rogers of the 26th
House Committee on Insurance**

Bill Summary:

House Bill 1067 provides for the comprehensive revision of provisions regarding the issuance and regulation of limited licenses to sell portable electronics insurance. "Portable electronics" means handsets, pagers, personal digital assistants, portable computers, automatic answering devices, cellular telephones, batteries, and other similar devices and their accessories used to originate or receive communications signals or service for individual customer use only and includes services related to the use of such devices, including, but not limited to, individual customer access to a wireless network.

It provides for an exception to a retail installment seller's requirement to insure its guaranteed asset protection waiver obligations under a contractual liability policy. In addition, in the event of a dispute or complaint arising involving insurance related material not in English, the English version of the material shall control the resolution of the dispute or complaint.

HB 1069

Pharmacists and pharmacies; revise definition of security paper

**Rep. Tom Weldon of the 3rd
House Committee on Health & Human Services**

Bill Summary:

House Bill 1069 allows prescription paper that has been approved by the Centers for Medicare and Medicaid Services to be recognized under the legal term, "security paper."

HB 1070

Brantley County; school district ad valorem tax; provide homestead exemption

**Rep. Chad Nimmer of the 178th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a homestead exemption from Brantley County school district ad valorem taxes for educational purposes in the amount of \$15,000 of the assessed value of the homestead for residents of that school district who are 65 years of age or older and whose income does not exceed \$30,000.

HB 1071

Excise tax; certain tobacco products; change certain provisions

**Rep. Penny Houston of the 170th
House Committee on Ways & Means**

Bill Summary:

This legislation requires that all retail establishments that sell tobacco products must renew their license annually as well as maintain certain documentation pertaining to the inventory of tobacco that they have on hand at any given time. The bill further clarifies the definition of "little cigar" to ensure that the correct tax is being remitted for the correct product. Lastly, criminal penalties are clarified and strengthened throughout the Code.

HB 1074

Long County; Board of Commissioners; change description of districts

**Rep. Roger Lane of the 167th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Long County Board of Commissioners.

HB 1075

Long County; Board of Education; change description of districts

**Rep. Roger Lane of the 167th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Long County Board of Education.

HB 1076

Talbot County; Board of Commissioners; change description of districts

**Rep. Debbie Buckner of the 130th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Talbot County Board of Commissioners.

HB 1077

Talbot County; Board of Education; revise districts

**Rep. Debbie Buckner of the 130th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Talbot County Board of Education.

HB 1080

Georgia Emergency Telephone Number 9-1-1 Service Act of 1977; eliminate Advisory Committee

**Rep. Ann Purcell of the 159th
House Committee on Energy, Utilities & Telecommunications**

Bill Summary:

House Bill 1080 relates to the 'Georgia Emergency Telephone Number 9-1-1 Act of 1977' by eliminating the 9-1-1 Advisory Committee, which is currently inactive but required to meet under existing law. The legislation also eliminates the requirements for the Georgia Emergency Management Agency to issue licenses for nongovernmental rescue organizations and for private search and rescue dog teams.

HB 1082

Cook County Magistrate Court; future elections for chief magistrate shall be nonpartisan elections; provide

**Rep. Penny Houston of the 170th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to provide for the non-partisan election of the Chief Magistrate of Cook County.

HB 1083

Cook County; Board of Education; change description of districts

**Rep. Penny Houston of the 170th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Cook County Board of Education.

HB 1084

Cook County; Board of Commissioners; change description of districts

**Rep. Penny Houston of the 170th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Cook County Board of Commissioners.

HB 1087

Colquitt County; Board of Commissioners; change description of districts

**Rep. Jay Powell of the 171st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Colquitt County Board of Commissioners.

HB 1088

Colquitt County; Board of Education; change description of districts

**Rep. Jay Powell of the 171st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Colquitt County Board of Education.

HB 1089

Local government; zoning proposal review procedures; repeal section and reserve

**Rep. John Carson of the 43rd
House Committee on Judiciary**

Bill Summary:

House Bill1089 repeals the zoning proposal review procedures from the Code.

HB 1091

Pike County; School District ad valorem tax; provide homestead exemption

**Rep. Billy Maddox of the 127th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide an increase in the homestead exemption from Pike County School District ad valorem taxation from \$12,000 to \$27,000 for certain residents who are 65 and older whose gross income does not exceed \$27,000.

HB 1092

Stillmore, City of; staggered terms for members of city council; provide

**Rep. Butch Parrish of the 156th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for staggered terms of office for the members of the City of Stillmore City Council, to provide for the appointment of the city attorney and city clerk, to revise the duties of the mayor and council, to provide for city elections, and to provide for fines imposed by the municipal court.

HB 1093

Crimes and offenses; removal of shopping carts and required posting of Code section in stores and markets; change provisions

**Rep. Paulette Braddock of the 19th
House Committee on Judiciary Non-Civil**

Bill Summary:

The legislation changes a few provisions in O.C.G.A. 16-8-21 relating to the theft and removal/abandonment of shopping carts. This Code section makes it a misdemeanor for any person to remove a shopping cart from the premises of its owner without consent and removes the provision that requires the owner of the store in which the shopping cart is used to post printed copies of this Code section in the store.

HB 1095

Brooks County; board of commissioners; provide new districts

**Rep. Ellis Black of the 174th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Brooks County Board of Commissioners.

HB 1096

Brooks County; board of education; provide new districts

**Rep. Ellis Black of the 174th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Brooks County Board of Education.

HB 1097

City of Emerson Community Improvement Districts Act; enact

**Rep. Paul Battles of the 15th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to create community improvement districts in the City of Emerson and to provide for their powers and duties.

HB 1098

Berrien County; Board of Commissioners; provide new districts

**Rep. Penny Houston of the 170th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Berrien County Board of Commissioners.

HB 1099

Berrien County; Board of Education; change description of districts

**Rep. Penny Houston of the 170th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Berrien County Board of Education.

HB 1100

Berrien County; airport authority; increase membership of board

**Rep. Penny Houston of the 170th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to increase the number of members on the Berrien County Airport Authority.

HB 1101

Rabun County; Board of Education; change description of districts

**Rep. Stephen Allison of the 8th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Rabun County Board of Education.

HB 1102

Georgia hazardous site reuse and redevelopment; 30 day grace period for buyers of qualifying property to seek limitation of liability; provide

**Rep. Lynn Smith of the 70th
House Committee on Special Committee on Small Business Development and Job Creation**

Bill Summary:

This legislation amends the Georgia Code relating to hazardous site reuse and development by providing a 30-day grace period for buyers after the purchase of qualifying property. The term "prospective purchaser" is defined in House Bill 1102 as a person who has applied for a limitation of liability pursuant to this article within 30 days of acquiring title to a property where there is a preexisting release. The limitation of liability provided by this article shall automatically advance to the benefit of heirs, assigns, successors in title, and designees of the person who such limitation of liability is granted.

A transfer of title to the qualifying property from the prospective purchaser to any other party deemed to be a contributing person to the release at the property; a person disqualified from obtaining limitation of liability under Code Section 12-8-206; or back to the owner of the property from which the subject property was purchased will terminate any limitation of liability applicable to the transferor.

The provisions regarding ad valorem taxation of property are revised to allow for the extension a period of preferential assessment. The existing time frame is 10 years, unless the property is sooner disqualified. A qualified brownfield property may be eligible for preferential assessment for a period no longer than 15 years under the following circumstances: construction of improvements on the property commenced but thereafter ceased for a period in excess of 180 days; after a delay in excess of 180 days, construction of improvements on the property resumed; and the owner of the property submits a sworn certification to the county board of tax assessors stating the dates on which construction commenced, ceased, and resumed. Upon receipt of the required certification, the county board of tax assessors shall extend the period of preferential assessment for one year for each 365 days of construction inactivity for up to a maximum of five consecutive years, but under no circumstances shall the period of preferential assessment exceed 15 consecutive years.

This bill delays the implementation of the Environmental Protection Division's (EPD) rules and regulations regarding septic tanks from July 1, 2012 to July 1, 2014 in order to allow small businesses to prepare for the changes. Any public water system within Georgia supplying water to customers who utilize a waste-water sewer system owned by a local government or authority must furnish the government or authority with the amount of water consumed by each individually metered customer account during each billing period. The water supplier shall cut off the water if the customer fails to pay within five business days, and the water supplier is authorized to charge a resumption and suspension fee.

HB 1106

Meriwether County; Board of Commissioners; change description of districts

Rep. Carl Epps of the 128th

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Meriwether County Board of Commissioners.

HB 1107

Meriwether County; Board of Education; change description of districts

Rep. Carl Epps of the 128th

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Meriwether County Board of Education.

HB 1108

Monroe County; Board of Education; change description of districts

Rep. Robert Dickey of the 136th

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Monroe County Board of Education.

HB 1109

Monroe County; board of commissioners; change description of districts

Rep. Robert Dickey of the 136th

House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Monroe County Board of Commissioners.

HB 1110

Health; penalties relative to owning or operating of unlicensed personal care homes; revise provisions

**Rep. Sharon Cooper of the 41st
House Committee on Health & Human Services**

Bill Summary:

House Bill 1110 adds neglect of a disabled adult or elder under criminal offenses and penalties in §30-5-8 and allows national background checks to be run on an individual who would be providing care to an elder or handicapped adult.

Section 3 of the bill strikes any personal care homes in existence on July 1, 1994 as being exempt from this law and allows any unlicensed personal care home to be assessed by the department. The department is required to send a notice by certified mail stating that licensure is required and the department's intent to impose a civil penalty. The bill allows the civil penalty to be doubled if the operator continues to operate the unlicensed personal care home after receipt of notice. The bill acknowledges that owning or operating an unlicensed personal care home in Georgia constitutes a nuisance that is dangerous to the public's health, safety, and welfare, and therefore provides that any person who owns or operates an unlicensed personal care home will be guilty of a misdemeanor.

Finally, the legislation allows the Georgia Bureau of Investigation to identify and investigate elder abuse cases.

HB 1111

Atkinson County; Board of Commissioners; change description of districts

**Rep. Jason Shaw of the 176th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Atkinson County Board of Commissioners.

HB 1112

Atkinson County; Board of Education; change description of districts

**Rep. Jason Shaw of the 176th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Atkinson County Board of Education.

HB 1114

Homicide; offering to assist in commission of suicide; repeal certain provisions

**Rep. Ed Setzler of the 35th
House Committee on Judiciary Non-Civil**

Bill Summary:

House Bill 1114 criminalizes the knowing assistance of suicide and makes it a felony punishable by 1-10 years. The bill only applies to individuals actually assisting in a suicide and does not apply to hospitals, associations or to common medical procedures and efforts to relieve pain and treat diseases that might actually shorten life. Assisted suicide is added to Georgia's racketeering statute because some organizations are performing assisted suicides in different states.

HB 1115

Public utilities and public transportation; telecommunications; revise and update certain provisions

**Rep. Mike Dudgeon of the 24th
House Committee on Energy, Utilities & Telecommunications**

Bill Summary:

House Bill 1115 revises and updates the provisions pertaining to telecommunications by removing the reporting, operating, and service requirements of telegraph companies. Duplicative regulations covered by the federal government are removed.

HB 1117 (VETOED)

Local government; approval of bonded debt by election; population brackets and the census; change certain provisions

**Rep. Valerie Clark of the 104th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to amend the population Act providing for county-wide bond elections or school bond elections in unincorporated Fulton County so as to change the census numbers and remove Gwinnett from its application under the 2010 Census. The bill also amends Code Section 45-8-12 relating to deposit of public funds in banks or depositories, so as to exempt hospital authorities from certain bond requirements.

HB 1118

Trion, Town of; provide new charter

**Rep. Barbara Reece of the 11th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a new charter for the Town of Trion.

HB 1119

Atkinson County; Probate Court judge; provide nonpartisan elections

**Rep. Chuck Sims of the 169th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to provide for the non-partisan election of the Probate Judge of Atkinson County.

HB 1120

Atkinson County; chief magistrate judge; provide nonpartisan elections

**Rep. Chuck Sims of the 169th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to provide for the non-partisan election of the Chief Magistrate of Atkinson County.

HB 1121

Coffee County; chief magistrate judge; provide nonpartisan elections

**Rep. Chuck Sims of the 169th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to provide for the non-partisan election of the Chief Magistrate of Coffee County.

HB 1122

Flowery Branch, City of; establish corporate limits

**Rep. Emory Dunahoo of the 25th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the corporate limits of the City of Flowery Branch.

HB 1123

Annexation; unincorporated islands; repeal Article 6

**Rep. Larry O'Neal of the 146th
House Committee on Governmental Affairs**

Bill Summary:

House Bill 1123 repeals a provision in the Code that allows for the unilateral incorporation of unincorporated islands created by prior to 1992. These islands can still be incorporated by using one of three methods provided for in the law.

HB 1126

Mitchell County; Board of Commissioners; change description of districts

**Rep. Jay Powell of the 171st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Mitchell County Board of Commissioners.

HB 1127

Mitchell County; Board of Education; change districts

**Rep. Jay Powell of the 171st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Mitchell County Board of Education.

HB 1129

Town of Braselton Community Improvement District; apply for, receive, administer or utilize grants from federal, state, county or municipal governments under certain conditions; allow

**Rep. Terry England of the 108th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to authorize the community improvement district in the Town of Braselton to apply for, receive, administer, or utilize grants from federal, state, county, or municipal governments or agencies under certain conditions.

HB 1131

Haralson County; Board of Commissioners; change description of districts

**Rep. Kevin Cooke of the 18th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Haralson County Board of Commissioners.

HB 1132

Fair Business Practices Act of 1975; oversight by administrator of certain telemarketing practices; provide

**Rep. Robert Dickey of the 136th
House Committee on Judiciary**

Bill Summary:

House Bill 1132 requires a telephone solicitation company to display a working number on caller identification services and state its identity. A violation may result in a class action suit.

HB 1142

Gwinnett County Recorder's Court; clerk's compensation; change provisions

**Rep. Buzz Brockway of the 101st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide that the Clerk of the Recorder's Court of Gwinnett County shall be appointed by the Chief Judges of the Superior Court and State Court and compensation shall be determined by applying the classification system that is used to determine the pay grade for management positions in Gwinnett County.

HB 1144

Lamar County; Board of Education; change description of districts

**Rep. David Knight of the 126th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Lamar County Board of Education.

HB 1145

Lamar County; Board of Commissioners; change description of districts

**Rep. David Knight of the 126th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Lamar County Board of Commissioners.

HB 1146

Georgia Vocational Rehabilitation Services Board; create

**Rep. Tom McCall of the 30th
House Committee on Human Relations & Aging**

Bill Summary:

House Bill 1146 changes the Vocational Rehabilitation program from a Department of Labor program to an attached agency. The program will be governed by a newly created Georgia Vocational Rehabilitation Services Board and attached to the Department of Human Services for administrative purposes.

HB 1148

Haralson County; office of treasurer; abolish

**Rep. Howard Maxwell of the 17th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to abolish the office of Treasurer in Haralson County.

HB 1150

Wayne County; Board of Commissioners; change description of districts

**Rep. Chad Nimmer of the 178th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Wayne County Board of Commissioners.

HB 1151

Wayne County; Board of Education; revise districts

**Rep. Chad Nimmer of the 178th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Wayne County Board of Education.

HB 1154

Milton, City of; Public Buildings and Facilities Authority; authorize city councilmembers to be appointed

**Rep. Jan Jones of the 46th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to authorize the appointment of councilmembers to the City of Milton Public Buildings and Facilities Authority.

HB 1158

Ben Hill County; Board of Education; change description of districts

**Rep. Jay Roberts of the 154th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Ben Hill County Board of Education.

HB 1165

Taxation; unreturned property; eliminate population provisions; provide penalties

**Rep. Josh Clark of the 98th
House Committee on Ways & Means**

Bill Summary:

This bill repeals both the population requirement for assessing unreturned property assessments as well as the penalty for unreturned property assessments.

HB 1166

Insurance; individual health insurance coverage to children through child-only health plans; provide

**Rep. Alex Atwood of the 179th
House Committee on Insurance**

Bill Summary:

House Bill 1166 provides for individual health insurance coverage for children through child-only health plans. It requires all companies that offer health policies to offer a child-only plan.

HB 1167

Columbia County; Board of Commissioners; provide term limits for chairperson and members

**Rep. Ben Harbin of the 118th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a referendum and if approved by the voters, to provide term limits for the chairperson and members of the Columbia County Board of Commissioners.

HB 1171

Macon-Bibb County; create and incorporate new political body corporate

Rep. Nikki Randall of the 138th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to provide a unified form of government for the City of Macon and Bibb County and to provide for its powers and duties.

HB 1172

Manchester, City of; provide election districts

Rep. Carl Epps of the 128th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the City of Manchester City Council.

HB 1176

2011 Special Council on Criminal Justice Reform for Georgians; enact recommended provisions

Rep. Rich Golick of the 34th
House Committee on Special Joint Committee on Georgia Criminal Justice Reform

Bill Summary:

PART I; Appeal by the State

Section 1-1 Amends appeals procedure by adding decisions that set aside or dismiss any indictment, accusation, or petition which alleges a child has committed a delinquent act to the list of exceptions that do not require a certificate of immediate review. The Senate amendment (LC 29 2038) allows for appeals from the State in both superior and state court. The amendment was requested by the Solicitors and is needed because of the additional burden the misdemeanor cases HB 1176 adds to their caseload.

PART II; Drug and Mental Health Court Divisions, Diversion Programs, and the County Drug Abuse Treatment and Education Fund

Section 2-1 Amends the Code relating to Drug Court Divisions by incorporating the policies developed by the Judicial Council of Georgia into the work plan. That work plan must include a risk and needs assessment in order to reduce recidivism. The work plan will be focused on moderate risk and high risk offenders. Moreover, the Council will be required to update their standards to incorporate research from the drug court field. Each drug court division will follow the policies and practices that are consistent with the standards published by the Council. Also, the Council will assist the drug court divisions in the implementation of the policies. The Council will create and manage a certification and review process to ensure that drug court divisions are adhering to the proper standards. State appropriated funds for the drug court division will be tied to certification, unless good cause is shown to the Council. The Council will publish an annual report listing the certified drug court divisions and will conduct a performance review every three years.

Section 2-2 Amends the Code relating to mental health court divisions of Georgia. The purpose is to standardize the policies, practices, and certification processes with those of the Drug Court Division.

Section 2-3 Increases the fee to \$1,000 required from offenders who enter pretrial intervention programs. Fees may be altered with a show of good cause to the prosecuting attorney.

Section 2-4 Increases the list of drug, traffic, and alcohol violations on which the court is authorized to impose an additional 50 percent penalty to the original fine. It also directs moneys arising from fines and forfeited bonds from certain drug offenses to be placed in the County Drug Abuse Treatment and Education Fund.

PART III; Crimes and Offenses

Section 3-1 Breaks Burglary into three degrees. All degrees are felonies. The first degree includes dwelling houses with aggravating circumstances with a penalty of five to 30 years. The second degree includes dwelling houses without aggravating circumstances with a penalty of one to 20 years. The third degree includes other structures with a penalty of one to 8 years. An individual who has been convicted of burglary in any degree on two or more prior occasions will be punished as burglary in the first degree. The Senate amendment (LC 29 2039) amends this section and breaks the burglary statute into two degrees: first degree (dwelling) and second degree (non-dwelling).

Section 3-2 Amends the Code sections involving theft by providing for different penalties depending on the value of the stolen item. If the item's value exceeds \$25,000, the penalty is two to 20 years. If the item's value is below \$25,000 and above \$5,000, the penalty is one to 10 years, or for a misdemeanor at the judge's discretion. If the penalty is below \$5,000 and above \$1,500, the penalty is one to 5 years, or for a misdemeanor at the judge's discretion. In addition, if a defendant has two prior misdemeanor convictions for theft, the penalty is one to five years. The Senate amendment (LC 29 2056) clarifies that a third conviction of a theft offense will be a felony, with a sentence of one to 5 years regardless of whether the first two convictions were a misdemeanor, felony or combination of both.

Section 3-3 Increases the threshold for felony shoplifting to \$500, and the fine for a second offense of shoplifting is increased to \$500. Also, when property subject to theft is valued in the aggregate at more than \$500 over a period of 180 days, it is a felony punishable by one to 10 years.

Section 3-4 Increases the felony threshold for counterfeit Universal Product Code theft to \$500.

Section 3-5 Breaks forgery into four degrees. First degree forgery deals with writings other than checks, where a person with intent to defraud actually uses the fictitious instrument. The penalty is a felony punishable from one to 15 years. Second degree forgery deals with writings, including checks, where a person with intent to defraud is only in possession of the fictitious instrument. The penalty is a felony punishable from one to 5 years. Third degree forgery deals with checks, where a person with the intent to defraud uses a fictitious check valued at \$1,500 or more. The penalty is a felony punishable from one to five years. Fourth degree forgery deals with checks, where a person with the intent to defraud uses a fictitious check valued under \$1,500. The penalty is a misdemeanor, where the 3rd and subsequent convictions are punished from one to five years. The Senate amendment (LC 29 2070) clarifies the statutory construction of forgery.

Section 3-6 Alters the punishment for deposit account fraud. When the instrument(s) is less than \$500, the fine is increased to not more than \$1,000. If the instrument(s) is valued at between \$500 and \$999.99 the penalty is a high and aggravated misdemeanor. When the instrument(s) are more than \$1,000, the fine is increased to not more than \$10,000.

Section 3-7A To become effective July 1, 2012. Punishment for possession of a controlled substance in Schedule I, or narcotic in Schedule II, is reduced to one to 15 years including the removal of enhanced punishment for the 2nd or subsequent offenses. As it passed the House, upon the 3rd or subsequent offense, imprisonment for double the length of incarceration applies. However, the Senate amendment (LC 29 2042) removes this language as a drafting error. The penalties for the manufacture or the distribution of controlled substances in Schedule I or II is increased by applying the recidivism statute on the second offense. Punishment for possession of Schedule III, IV, or V is reduced to one to three years. Punishment for the possession of a counterfeit substance is reduced to one to two years. Punishment for the manufacture or distribution of a counterfeit substance is increased to one to 10 years. Punishment for possession of flunitrazepam is reduced to one to 15 years. Manufacture or distribution of flunitrazepam is increased by applying the recidivism statute on the 3rd offense.

Section 3-7B To become effective July 1, 2013. Possession of controlled substances in Schedule I and II is broken down into weight categories with a graduated punishment up to the sentences outlined for possession controlled substances in Schedule I and II in 3-8A.

Section 3-7C To become effective July 1, 2014. Possession for flunitrazepam is broken down into weight categories with a graduated punishment up to the sentences outlined for possession of flunitrazepam in 3-8A.

Section 3-8 Sentencing for trafficking in controlled substances is tied to the applicable mandatory minimum punishment.

PART IV; Criminal Procedure

Section 4-1 Amends and clarifies the language in §17-3-1 applying to prosecution for certain offenses within a set timeframe.

Section 4-2 Removes the statute of limitations for certain sex crimes (rape, child molestation, incest, aggravated sodomy, cruelty to children) involving a victim under the age of 16. The Senate amendment (LC 29 2061) adds 'trafficking for sexual servitude' to the list of sex crimes.

Section 4-3 Gives the ability of the court to shorten the length of a defendant's active probation upon a motion by a probation supervisor.

Section 4-4 Provides for an exception to the recidivism statute for drug possession violations.

PART V; Mandatory Reporting of Child Abuse

Section 5-1 Adds to the list of persons having a duty to report child abuse by including nurse's aides and reproductive health care facility personnel (including volunteers). Further, a member of the clergy must report child abuse when the source of the information is from anything other than a direct communication in confession from the perpetrator. The Senate

amendment (LC 29 2041) clarifies the mandatory reporters of hospitals in child abuse cases by changing the language to read "employees and volunteers" of hospitals.

PART VI; Restrictions

Section 6-1 The Georgia Crime Information Center (GCIC) will not provide criminal history records to the public when the access has been duly restricted.

Section 6-2 The GCIC will make an individual's criminal history available upon request and not charge more than \$15 for the inspection of those records. The individual may request the entity in control of the records to correct mistakes. If the individual finds the entity's decision about the alleged mistakes to be in error, that individual can appeal to the court with the original jurisdiction of the charges. If the entity has previously disseminated incorrect records, the entity will disseminate a correction upon a written request by the individual. Criminal history records will be restricted by the GCIC, prior to indictment when the case was: never referred for further prosecution, if it was referred to the prosecuting attorney but later dismissed, or if the grand jury returns two no bills. Criminal history records will be restricted by the GCIC, after indictment if: all the charges are dropped or nolle prossed; a guilty plea of possession of a controlled substance and successful completion of probation; the individual successfully completed a drug or mental health treatment program; or the individual was acquitted of all charges. Criminal history records will not be restricted if the charges were nolle prossed or otherwise dismissed because: of a plea agreement; the prosecuting attorney was barred from introducing material evidence against the individual; the conduct was part of a pattern of criminal activity; or diplomatic immunity. Criminal history records will not be restricted if: some but not all of the charges resulted in acquittal; or the acquittal resulted from jury or judicial misconduct. Criminal history records will not be restricted if the individual was convicted of various: sexual offenses; theft offenses; child molestation; or serious traffic violations. Criminal history records that are restricted will be made available only to criminal justice agencies for official criminal investigation purposes. If the entity declines to restrict criminal history records, then the individual may file a civil action in the superior court where the entity is located. If the court finds that the records should be restricted, then the clerk of court will cause documents in their possession to be restricted. Further, the clerk will create a separate index that is sealed to the public containing the criminal history record. The GCIC is also authorized to develop procedures in order to adopt the changes with regard to criminal history record restrictions.

PART VII; Penal Institutions

Section 7-1 Adds definitions to Code Section 42-1-1.

Section 7-2 Prohibits employees of penal institutions from giving out the names of attorneys to inmates, or to receive any amount of money from attorneys with regard to inmates. The penalty is a misdemeanor.

Section 7-3 Amends definitions to Code Section 42-2-1.

Section 7-4 Adds the duty to the Board of Corrections to adopt regulations where evidence based practices guide decisions relating to preparing inmates for release. Moreover, the Board will prepare an annual report regarding that information.

Section 7-5 Allows for the notice of sentencing of convicted individuals to be transmitted electronically.

Section 7-6 Modifies definitions in Code Section 42-8-21.

Section 7-7 If graduated sanctions have been made a condition of probation, a "chief probation officer" may impose graduated sanctions as an alternative to judicial modification or revocation of probation so long as the sanctions are approved by a chief probation officer. A probationer may appeal such sanctions in the sentencing court.

Section 7-8 Allows a probationer to be required to wear an electronic monitoring device as a condition of probation, for the required completion of a substance abuse or mental health treatment program, and/or the ability of the probationer to agree to the imposition of graduated sanctions.

Section 7-9 Limits the amount of time that an individual, who is in violation of probation, spends in a probation detention center to 180 days.

Section 7-10 Makes it automatic that a probated sentence of more than two years be reviewed by the probation supervisor, rather than require a chief judge make the request.

Section 7-11 Allows for a probation supervisor to impose graduated sanctions, so long as graduated sanctions have been made a condition of probation by the court.

PART IX; Effective Date, Applicability, and Repealer

Section 9-1 This Act shall become effective on July 1, 2012. Section 3-7B shall become effective on July 1, 2013. Section 3-7C shall become effective on July 1, 2014. Part VI and sections 8-1 and 8-4 shall become fully effective on July 1, 2013.

HB 1177

Cobb County; Magistrate Court; provide for collection of law library fees

**Rep. Earl Ehrhart of the 36th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for the collection of law library fees in the Magistrate Court of Cobb County.

HB 1178

Education, Department of; ten-year projection of costs for bills to create a program or funding category having impact on revenues or expenditures; require

**Rep. Tom Dickson of the 6th
House Committee on Education**

Bill Summary:

This legislation amends §28-5-42 so that a fiscal note for a bill which creates a new program or funding category with a significant impact on the anticipated revenue or expenditure level of the Department of Education shall include a ten-year projection of the costs of such new program or funding category.

HB 1179

Lincoln County; Board of Commissioners; change description of districts

**Rep. Lee Anderson of the 117th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Lincoln County Board of Commissioners.

HB 1180

Lincoln County; Board of Education; change description of districts

**Rep. Lee Anderson of the 117th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Lincoln County Board of Education.

HB 1183

Montgomery County; Board of Education; change description of districts

**Rep. Greg Morris of the 155th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Montgomery County Board of Education.

HB 1184

Moreland, Town of; change terms and dates of election of mayor and alderman

**Rep. Billy Horne of the 71st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a referendum on staggered terms of office for the councilmembers and lengthening the mayor's term of office in the Town of Moreland.

HB 1185

Cochran, City of; provide new charter

**Rep. Jimmy Pruett of the 144th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a new charter for the City of Cochran.

HB 1187

Hiram, City of; create the position of city manager

**Rep. Paulette Braddock of the 19th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for the position of city manager in the City of Hiram and to provide for its powers and duties.

HB 1188

Oak Grove Cemetery Authority; create

**Rep. Jason Spencer of the 180th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to create the Oak Grove Cemetery Authority in the City of St. Marys and to provide for its powers and duties.

HB 1191

Lavonia, City of; levy an excise tax

**Rep. Alan Powell of the 29th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to authorize the levy of a hotel/motel tax in the City of Lavonia.

HB 1193

Monroe County Public Facilities Authority Act; limiting authority to issue revenue bonds to four years; repeal certain provisions

**Rep. Robert Dickey of the 136th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to amend the Act which created the Monroe County Public Facilities Authority so as to repeal provisions which limit the authority's power to issue revenue bonds to four years.

HB 1195

Chattooga County; revise compensation of commissioner

**Rep. Barbara Reece of the 11th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide compensation to the Commissioner of Chattooga County.

HB 1196

Macon Water Authority Act; change description of electoral districts

**Rep. Nikki Randall of the 138th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Macon Water Authority electoral districts.

HB 1198

Parent and child; grandparent visitation rights; modify provisions

**Rep. John Meadows of the 5th
House Committee on Judiciary**

Bill Summary:

House Bill 1198 provides for court-ordered grandparent visitation when it finds the child would be harmed without such visitation.

This legislation sets out factors a court must consider when determining whether the health or welfare of a child would be harmed without grandparent visitation. This legislation creates a rebuttable presumption that a child denied contact with his grandparents may suffer emotional injury harmful to his health. A parent's decision regarding grandparent visitation is not conclusive when the lack or absence of grandparent contact would result in emotional harm to the child.

Grandparent visitation, if so ordered, must be for at least one day per month and cannot interfere with the child's school or regularly scheduled extracurricular activities.

A court may award grandparent visitation in cases where the parent is deceased, incapacitated, or incarcerated if it finds that visitation would be in the child's best interests. The custodial parent's judgment regarding the child's best interests is given deference, but is not conclusive.

Custodial parents may be required to notify grandparents of the child's public performances.

HB 1202

Clayton County; board of commissioners; revise districts

**Rep. Roberta Abdul-Salaam of the 74th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A bill to reapportion the Clayton County Board of Commissioners.

HB 1203

Augusta-Richmond County Coliseum Authority; appointed members may be reappointed to succeed themselves; provide

**Rep. Earnest Smith of the 122nd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide that appointed members of the Augusta-Richmond County Coliseum Authority may be reappointed to succeed themselves.

HB 1204

Duluth, City of; change corporate limits of city

**Rep. Brooks Coleman of the 97th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the corporate limits of the City of Duluth.

HB 1205

Lawrenceville, City of; change term of office for mayor

**Rep. Buzz Brockway of the 101st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for elections of the mayor and councilmembers, to provide for staggered terms of office, and to provide for term limits in the City of Lawrenceville.

HB 1206

Macon-Bibb County Transit Authority Act of 1980; enter into contracts with counties and municipal corporations to provide public transportation services; provide power

**Rep. Nikki Randall of the 138th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to authorize the Macon-Bibb County Transit Authority to enter into contracts with cities and counties to provide public transportation services.

HB 1208

Cobb County; Board of Education; change description of districts

**Rep. Earl Ehrhart of the 36th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Cobb County Board of Education.

HB 1213

Pickens County Water and Sewer Authority; waiting period of two years for member reappointment; remove provision

**Rep. Rick Jasperse of the 12th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide that appointed members of the Pickens County Water and Sewer Authority may be reappointed to succeed themselves.

HB 1215

Echols County; Board of Commissioners; provide for elections and terms of office

**Rep. Ellis Black of the 174th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for elections and terms of office of the Echols County Board of Commissioners.

HB 1216

Ball Ground, City of; remove exception for certain property from jurisdiction of municipal court

**Rep. Calvin Hill of the 21st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the corporate boundaries of the City of Ball Ground.

HB 1217

Habersham County State Court; provide that January 1, 2015, judge and solicitor shall be full-time positions

**Rep. Terry Rogers of the 10th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide that the judge and solicitor of the State Court of Habersham County shall be full-time positions and to provide them compensation.

HB 1218

Avondale Estates, City of; change corporate limits of city

**Rep. Stephanie Benfield of the 85th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the corporate limits of the City of Avondale Estates.

HB 1219

Decatur, City of; change corporate limits of city

**Rep. Stephanie Benfield of the 85th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the corporate limits of the City of Decatur.

HB 1222

DeKalb County; board of commissioners; change description of districts

**Rep. Howard Mosby of the 90th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the DeKalb County Board of Commissioners.

HB 1223

Cherokee County; Board of Education; revise districts

**Rep. Mark Hamilton of the 23rd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Cherokee County Board of Education.

HB 1225

Moultrie, City of; levy an excise tax

**Rep. Jay Powell of the 171st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to authorize the City of Moultrie to levy a hotel/motel tax.

HB 1226
Springfield, City of; provide new charter

Rep. Jon Burns of the 157th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to provide a new charter for the City of Springfield.

HB 1227
Gainesville, City of; provide new charter

Rep. Carl Rogers of the 26th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to provide a new charter for the City of Gainesville.

HB 1230
DeKalb County Recorder's Court; payment of costs in such court; provide

Rep. Mary Oliver of the 83rd
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to provide for the payment of costs and to provide for a schedule of costs in the Recorder's Court of DeKalb County.

HB 1231
Muscogee County School District; change description of districts

Rep. Calvin Smyre of the 132nd
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Muscogee County Board of Education.

HB 1232
Muscogee County School District; superintendent may make public works construction contracts; change maximum amount

Rep. Calvin Smyre of the 132nd
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to change the maximum amount for which the superintendent of the Muscogee County Board of Education may make public works construction contracts, and other spending conditions, and to provide that the board of education may adopt rules and regulations governing the administration of these provisions.

HB 1236
Norcross, City of; change corporate limits

Rep. Pedro Marin of the 96th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to change the corporate limits of the City of Norcross.

HB 1238

West Point, City of; levy an excise tax

**Rep. Kip Smith of the 129th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to authorize the City of West Point to levy a hotel/motel tax.

HB 1239

Tattnall County; board of education; change description of districts

**Rep. Delvis Dutton of the 166th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Tattnall County Board of Education.

HB 1240

Tattnall County; board of commissioners; change description of districts

**Rep. Delvis Dutton of the 166th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Tattnall County Board of Commissioners.

HB 1242

Hall County; board of commissioners; change description of districts

**Rep. Carl Rogers of the 26th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Hall County Board of Commissioners.

HB 1243

Glennville, City of; change corporate limits

**Rep. Delvis Dutton of the 166th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the corporate limits of the City of Glennville.

HB 1244

Kennesaw, City of; change provisions relating to the corporate limits

**Rep. Ed Setzler of the 35th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the corporate limits of the City of Kennesaw.

HB 1245

Franklin County; board of elections; stagger terms of members

**Rep. Alan Powell of the 29th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide staggered terms of office for the Franklin County Board of Elections and Registration.

HB 1248

Garden City, City of; ad valorem tax; municipal purposes; provide homestead exemption

**Rep. Bob Bryant of the 160th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a homestead exemption from City of Garden City ad valorem taxes for municipal purposes in the amount of \$40,000.00 of the assessed value of the homestead for residents of that city.

HB 1249

Lyerly, Town of; provide new charter

**Rep. Barbara Reece of the 11th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a new charter for the Town of Lyerly.

HB 1250

Murray County Board of Elections and Registration; create

**Rep. John Meadows of the 5th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide terms of office for the Murray County Board of Elections and Registration.

HB 1251

Dodge County-Eastman Development Authority; provide for membership

**Rep. Jimmy Pruett of the 144th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for the membership of the Dodge County-Eastman Development Authority.

HB 1252

Heart of Georgia Regional Airport Authority; change method of appointing members

**Rep. Jimmy Pruett of the 144th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for the membership of the Heart of Georgia Regional Airport Authority.

HB 1253

Jeff Davis County; Board of Education; change description of districts

**Rep. Tommy Smith of the 168th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Jeff Davis County Board of Education.

HB 1254

Jeff Davis County; Board of Commissioners; change description of districts

**Rep. Tommy Smith of the 168th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Jeff Davis County Board of Commissioners.

HB 1255

Eatonton-Putnam Water and Sewer Authority; composition; change certain provisions

**Rep. Mickey Channell of the 116th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for the membership of the Eatonton-Putnam Water and Sewer Authority.

HB 1256

Western Area Regional Radio System Authority; remove City of Douglasville and add Coweta County as a member

**Rep. Bill Hembree of the 67th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to remove the City of Douglasville from and add Coweta County to the membership of the Western Area Regional Radio System Authority.

HB 1257

Effingham County; Board of Commissioners of Roads and Revenues; revise powers and duties of chairperson

**Rep. Jon Burns of the 157th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide the powers and duties of the chairperson of the Effingham County Board of Commissioners and to provide for meetings, quorum, and voting.

HB 1258

Columbus, City of; certain notices to be made in newspaper having largest circulation; provide

**Rep. Calvin Smyre of the 132nd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for newspaper notices, to correct clerical errors, and to provide other amendments to the charter of the Columbus-Muscogee County consolidated government.

HB 1259

Milner, City of; provide new charter

**Rep. David Knight of the 126th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a new charter for the City of Milner.

HB 1261

Griffin-Spalding County Airport Authority Act; enact

**Rep. David Knight of the 126th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to create the Griffin-Spalding County Airport Authority and to provide for its powers and duties.

HB 1262

Catoosa County; Board of Education; change description of districts

**Rep. Tom Weldon of the 3rd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Catoosa County Board of Education.

HB 1263

Catoosa County; board of commissioners; change description of districts

**Rep. Tom Weldon of the 3rd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Catoosa County Board of Commissioners.

HB 1264

Douglasville, City of; change description of election districts

**Rep. Bill Hembree of the 67th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the City Council of the City of Douglasville.

HB 1265

Macon-Bibb County Community Enhancement Authority Act; enact

**Rep. James Beverly of the 139th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to create the Macon-Bibb County Community Enhancement Authority and to provide for its powers and duties.

HB 1266

Acworth Lake Authority; change membership requirements

**Rep. Ed Setzler of the 35th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the membership and requirements for the Acworth Lake Authority.

HB 1267

Acworth Area Convention and Visitors Bureau; change name to Acworth Tourism Bureau Authority

**Rep. Ed Setzler of the 35th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the name of the Acworth Area Convention and Visitors Bureau to the Acworth Tourism Bureau Authority.

HB 1268

Bacon County; Board of Education; change description of districts

**Rep. Tommy Smith of the 168th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Bacon County Board of Education.

HB 1269

Bacon County; Board of Commissioners; change description of districts

**Rep. Tommy Smith of the 168th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Bacon County Board of Commissioners.

HB 1270

Jefferson County; Board of Commissioners; change description of districts

**Rep. Mack Jackson of the 142nd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Jefferson County Board of Commissioners.

HB 1271

Brunswick-Glynn County Joint Water and Sewer Commission; immunity for commission and its officers, agents and employees; provide

**Rep. Roger Lane of the 167th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to re-create the Brunswick-Glynn County Joint Water and Sewer Commission, to provide for new membership, to provide for its powers and duties, to provide meetings, hearings, and notices for rates and fees, and to provide a referendum.

HB 1272

Bacon County; Board of Commissioners; membership of chairperson and commissioners on boards and authorities; limit

**Rep. Tommy Smith of the 168th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for terms of office, elections, compensation, duties, and powers of the Bacon County Board of Commissioners.

HB 1273

Jefferson County; Board of Education; change description of districts

**Rep. Mack Jackson of the 142nd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Jefferson County Board of Education.

HB 1275

Chatham Area Transit Authority; board membership and staggered terms; provide

**Rep. Ron Stephens of the 164th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to amend the Act which created the Chatham Area Transit Authority so as to provide for: board membership and staggered terms; methods of transacting business; per diem allowances for board members; election of a chairperson; and audits.

HB 1276

Richmond Hill, City of; provide new charter

**Rep. Ron Stephens of the 164th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a new charter for the City of Richmond Hill.

HB 1277

Washington, City of; change description of council districts

**Rep. Mickey Channell of the 116th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the City Council of the City of Washington.

HB 1278

Spalding County Magistrate Court; charge technology fee for each civil case filed and criminal fine imposed; authorize

**Rep. David Knight of the 126th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to authorize the Magistrate Court of Spalding County to charge a technology fee, not to exceed \$5, for each civil case filed and criminal fine imposed.

HB 1279

Spalding County Probate Court; charge technology fee for each civil case filed; authorize

**Rep. David Knight of the 126th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to authorize the Probate Court of Spalding County to charge a technology fee, not to exceed \$5, for each civil case filed.

HB 1280

Spalding County State Court; charge technology fee for each civil case filed and each criminal fine imposed; authorize

**Rep. David Knight of the 126th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to authorize the State Court of Spalding County to charge a technology fee, not to exceed \$5, for each civil case filed and each criminal fine imposed.

HB 1281

Satilla Regional Water and Sewer Authority; members to be elected for unlimited consecutive terms; allow

**Rep. Mark Hatfield of the 177th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to allow the members of the Satilla Regional Water and Sewer Authority to be elected for unlimited consecutive terms, to repeal provisions relating to expansion of services and addition of members, to reduce the number of days of nonpayment beyond which the authority may disconnect service, to raise the maximum fee for reconnection of service, and to exempt the authority from sales and use taxes.

HB 1282

Charlton County; board of commissioners; change provisions relating to number of meetings held

**Rep. Mark Hatfield of the 177th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for the election of the chairman and vice chairman, to provide for the powers of the chairman, and to provide for meetings to be held by the Charlton County Board of Commissioners.

HB 1283

Charlton County; nonstaggered four-month vehicle registration period; repeal Act

**Rep. Mark Hatfield of the 177th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to repeal an Act providing for a non-staggered, four-month vehicle registration period in Charlton County.

HB 1284

Appling County; Board of Education; change description of districts

**Rep. Tommy Smith of the 168th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Appling County Board of Education.

HB 1285

Appling County; board of commissioners; change description of districts

**Rep. Tommy Smith of the 168th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Appling County Board of Commissioners.

HB 1286

Treutlen County; Board of Commissioners; change description of districts

**Rep. Greg Morris of the 155th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Treutlen County Board of Commissioners.

HB 1287

Treutlen County; Board of Education; change description of districts

**Rep. Greg Morris of the 155th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Treutlen County Board of Education.

HB 1288

Hart County Water and Sewer Authority; enact

**Rep. Alan Powell of the 29th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to re-create the Hart County Water and Sewer Authority and to provide for its powers and duties.

HB 1289

DeKalb County; board of education; provide for certain terms of office

**Rep. Howard Mosby of the 90th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide terms of office for the members of the DeKalb County Board of Education.

HB 1290

DeKalb County; board of education; change description of districts

**Rep. Howard Mosby of the 90th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the DeKalb County Board of Education.

HB 1291

Sandy Springs, City of; executive and judicial officials; modify provisions

**Rep. Joe Wilkinson of the 52nd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a new charter to the City of Sandy Springs.

HB 1293

Crisp County; Board of Commissioners; change description of districts

**Rep. Buddy Harden of the 147th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Crisp County Board of Commissioners.

HB 1294

Williamson, City of; terms of office of mayor and members of city council; change

**Rep. Billy Maddox of the 127th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide terms of office and elections for the mayor and councilmembers in the City of Williamson.

HB 1295

Stephens County; board of education; change description of districts

**Rep. Michael Harden of the 28th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Stephens County Board of Education.

HB 1296

Toccoa, City of; levy an excise tax

**Rep. Michael Harden of the 28th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to authorize the City of Toccoa to levy a hotel/motel tax.

HB 1297

Jeff Davis County; nonbinding, advisory referendum by electors to ascertain if judge of Probate Court will also serve as chief magistrate judge; provide

**Rep. Chuck Sims of the 169th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide an advisory referendum in Jeff Davis County to determine whether the judge of the Probate Court of Jeff Davis County shall also serve as chief magistrate judge of the Magistrate Court.

HB 1298

Atlanta, City of; municipal court; modify provisions

**Rep. Kathy Ashe of the 56th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to modify provisions relating to the Municipal Court in the City of Atlanta to provide for the imposition, collection, and expenditure of an additional penalty in the municipal court for detention and prison facilities.

HB 1299

DeKalb County; nonbinding, advisory referendum by electors to ascertain if schools should place or operate a telecommunication tower on school property; provide

**Rep. Karla Drenner of the 86th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for a nonbinding, advisory referendum in DeKalb County for the purpose of ascertaining whether the local or independent school system in DeKalb County, or charter school, should place or operate a telecommunications tower on any elementary, middle, or high school property.

HB 1300

Bleckley County; board of education and school superintendent; number of members and districts where elected; provide

**Rep. Jimmy Pruett of the 144th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Bleckley County Board of Education.

HB 1301

Chatham County Magistrate Court; qualifications for magistrates; provide

**Rep. Ron Stephens of the 164th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide qualifications for magistrate judges in the Magistrate Court of Chatham County.

HB 1304

Southern Judicial Circuit; director of pretrial release program and other staff members make arrests and certain other powers; provide

**Rep. Amy Carter of the 175th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide the director of the pretrial release program and other staff members of the program as designated by the chief judge with arrest and other powers in the Southern Judicial Circuit.

HR 977

Legal services for indigent; dedicate existing fees; provide - CA

**Rep. Rich Golick of the 34th
House Committee on Judiciary Non-Civil**

Bill Summary:

House Resolution 977 amends Article III, Section IX, Paragraph VI of the Constitution by adding a new subparagraph to provide that certain existing fees and assessments be dedicated to fund legal services for indigent persons accused of crimes and delinquent acts.

HR 1103

Deputy James D. Paugh Memorial Highway; Richmond County; dedicate

**Rep. Barbara Sims of the 119th
House Committee on Transportation**

Bill Summary:

This resolution dedicates the portion of Interstate Route 520 in Richmond County from Exit 2 (Wrightsboro Road) to Exit 3 (Gordon Highway) as the Deputy James D. Paugh Memorial Highway.

HR 1150

Sales and use tax; educational purposes; only distributed on basis of full-time equivalent student counts - CA

**Rep. Brooks Coleman of the 97th
House Committee on Education**

Bill Summary:

House Resolution 1150 proposes an amendment to the Constitution of Georgia. With this amendment, the sales and use tax for education purposes can only be distributed on the basis of full-time equivalent student counts when proceeds are distributed between the county school district and the independent school districts located in the county. If passed, this proposed amendment will be submitted on the ballot for ratification or rejection.

HR 1151

Joint Human Trafficking Study Commission; create

**Rep. Buzz Brockway of the 101st
House Committee on Judiciary**

Bill Summary:

House Resolution 1151 creates a 13-member study committee to examine Georgia's system of care for victims of human trafficking. The study committee will be known as the Joint Human Trafficking Study Commission and will abolish on January 1, 2013. It will have the right to make a report of any findings as well as recommendations for any proposed legislation. One member from the Senate and one from the House must be from the minority party. In addition, it contains a provision that any report will be given to the Speaker of the House and the Lieutenant Governor. The Lieutenant Governor appoints the Senate members of the joint study commission.

HR 1161

Cauley, Mr. James A.; compensate and provide state income tax exclusion

**Rep. Debbie Buckner of the 130th
House Committee on Appropriations**

Bill Summary:

House Resolution 1161 compensates Mr. James Cauley for an injury he sustained at a Department of Labor (DOL) office in Americus for medical bills and lost wages. The Claims Advisory Board recommends compensation to Mr. Cauley for personal injury, lost wages, emotional distress, and other damages. The resolution compensates Mr. Cauley for a total of \$7,500.

HR 1162

General Assembly; state-wide education policy; clarify authority - CA

**Rep. Jan Jones of the 46th
House Committee on Education**

Bill Summary:

House Resolution 1162 proposes an amendment to the Constitution of Georgia to clarify the authority of the state to establish state-wide education policy. With this bill, the General Assembly will be able to establish special schools that shall include charter schools, as defined and provided for by law; provided that special schools shall only be public schools. If passed, this proposed amendment will be submitted on the ballot for ratification or rejection.

HR 1177

Veterans Memorial Highway; Oglethorpe County; dedicate

**Rep. Chuck Williams of the 113th
House Committee on Transportation**

Bill Summary:

Part I HR 1177, Rep. Chuck Williams

A resolution dedicating the portion of State Route 22 in Oglethorpe County from U.S. Route 78/State Route 10 in Lexington to the Madison County line as the Veterans Memorial Highway.

Part II HR 1141, Rep. Susan Holmes

A resolution dedicating State Route 22 in the City of Gray from the eastern city limit to its intersection with State Route 11 as the Herman E. Black Memorial Highway.

Part III HR 1142, Rep. Jason Spencer

A resolution to dedicate the interchange at Horsemamp Church Road and I-95 between mile markers 18 and 22 as the Sgt. Carlton "Dan" Jenkins Memorial Interchange.

Part IV HR 1152, Rep. Doug Holt

A resolution dedicating the portion of SR 142 in Newton County between SR 11 and SR 278 as the J. Dixon Hays Memorial Highway.

Part V HR 1158, Rep. Gerald Greene

A resolution dedicating State Route 62 from the county line between Early County and Calhoun County in Arlington to Blakley as the Jimmie Hodge Timmons, Jr., Highway.

Part VI HR 1164, Rep. Al Williams

A resolution to dedicate the bridge on U.S. Route 84/State Route 38 over the CSX railroad tracks in Liberty County as the Clarence Williams, Sr., Overpass.

Part VII HR 1351, Rep. Elly Dobbs

This resolution dedicates the bridge on State Route 280 over the Chattahoochee River in Cobb/Fulton County is dedicated as the Trooper Chadwick T. LeCroy Memorial Bridge.

Part VIII HR 1352, Rep. Ellis Black

This resolution dedicates the intersection of State Route 7/North Valdosta Road and Veterans Memorial Parkway in Lowndes County as the EOD Technician First Class Joseph Adam McSween Memorial Intersection.

Part IX HR 1439, Rep. Allen Peake

This resolution dedicates the underpass at State Route 19/Forsyth Road and Napier Avenue in the City of Macon as the Patrolman Donald J. Mander Memorial Underpass.

Part X HR 1542, Rep. Bubber Epps

This resolution dedicates the bridge on State Route 96 over Interstate 16 in Twiggs County as the Deputy Richard Daniels Memorial Bridge.

Part XI HR 1602, Rep. Alan Powell

This resolution dedicates State Route 98 in Madison County from its intersection with U.S. Route 29 in Danielsville to State Route 106 in Ila as the Louie Clark Highway.

Part XII SR 843, Sen. Jeff Mullis

This resolution dedicates the bridge on Catoosa Parkway over Tiger Creek in Catoosa County as the Bert Ward Memorial Bridge.

Part XIII SR 667, Sen. Ronald Ramsey

This resolution dedicates the entire length of Snapfinger Road in DeKalb County from its intersection with Wesley Chapel Road to the Henry County line as the Martin Luther King Jr., Parkway.

Part XIV SR 386, Sen. Jeff Mullis

This resolution dedicates the portion of US 27/SR 1 from the city limits of Fort Oglethorpe south to Sheilds Crossing as the Roy Parrish Parkway.

Part XV SR 1060, Sen. Chip Rogers

This resolution dedicates the portion of State Route 92 in Cherokee County from Neese Road to Trickum Road as the Johnny Hunt Highway.

Part XVI SR 1071, Sen. Jeff Mullis

This resolution dedicates Interstate 59 in Dade County from the Alabama state line to the interchange with I-24 as the Korean War Veterans Memorial Highway.

Part XVII SR 1072, Sen. Jeff Mullis

This resolution dedicates the portion of Highway 11 in Dade County from the Alabama state line to the Tennessee state line as the Lance Corporal William Taylor Richards Memorial Highway.

Part XVIII SR 1083, Sen. Chip Rogers

This resolution dedicates the interchange at Interstate 575 and Ridgewalk Parkway in the City of Woodstock as the William G. Long Interchange.

Part XIX SR 1084, Sen. Jesse Stone

This resolution dedicates the portion of US Highway 25N from Waynesboro to Walnut Branch as the Preston B. Lewis, Jr., Memorial Highway.

Part XX HR 1103, Rep. Barbara Sims

This resolution dedicates the portion of Interstate Route 520 in Richmond County from Exit 2 (Wrightsboro Road) to Exit 3 (Gordon Highway) as the Deputy James D. Paugh Memorial Highway.

HR 1325

Congress; amend Communication Act of 1934; permit use of cellular jammers; urge

**Rep. Mike Cheokas of the 134th
House Committee on State Institutions & Property**

Bill Summary:

House Resolution 1325 urges Congress to amend the 'Communications Act of 1934' to allow the use of cell phone "jamming" technology in Georgia prisons to address the growing problem of cell phones in the prison system which are being used for: gang activity, retaliation against guards, and other nefarious purposes.

HR 1376

Conveyance of certain property; Baldwin, Carroll, Clinch, Coffee, and other counties; authorize

**Rep. Gerald Greene of the 149th
House Committee on State Institutions & Property**

Bill Summary:

House Resolution 1376 is a conveyance resolution for property located in 21 counties. The resolution conveys property owned by the State of Georgia or amends those conveyances, as follows:

Article I amends the lease of acreage at Riverbend Prison in Baldwin County with a nonexclusive appurtenant easement to construct a waste-water management facility to be used by Riverbend and Baldwin State Prisons.

Article II conveys property in Bibb County, formerly the Music Hall of Fame, to the State Properties Commission for sale to Mercer University to be used for school-related functions.

Article III conveys the property in Carroll County that was John Tanner State Park to the county, removing the Heritage Preservation designation on the property and instead placing a conservation easement on it, for use as a public park.

Article IV conveys two parcels of land in Clinch County, formerly under the custody of the Georgia Forestry Commission, to the Department of Transportation for the U.S. 441 widening project.

Article V conveys property in Coffee County, formerly known as the Douglas Poultry Lab and currently in custody of the Department of Agriculture, to the State of Georgia, for the State Properties Commission to offer by competitive bid or to a local government or state entity.

Article VI conveys property currently owned by the state, where the Georgia Forestry Commission's Dade County Unit was located before it was destroyed by tornado, for three acres the state currently leases from Dade County, to be used for the construction, maintenance, and operation of a new Dade County Unit.

Article VII conveys a tract of land in Dodge County, the site of the former Eastman Armory and currently in custody of the Georgia Department of Defense, to Dodge County for public purposes, for the amount of the remaining general obligation bonds.

Article VIII conveys property located in Dougherty County, formerly used as the Albany Farmers Market, to the State Properties Commission to offer for competitive bid or to a local government or state entity.

Article IX conveys .068 acre in Dougherty County from the Technical College System of Georgia to the Department of Transportation, in consideration for the Department satisfying project requirements, using federal funds, of the construction of a deceleration lane at the entrance to Albany Technical College.

Article X conveys property in Floyd County, formerly used as Northwest Regional Hospital and currently under custody of the Department of Behavioral Health and Developmental Disabilities, to the State Properties Commission to offer for competitive bid or to a local government or state entity.

Article XI conveys property in Franklin County, formerly used as the Carnesville Poultry Lab and in the custody of the Department of Agriculture, to the State Properties Commission to offer by competitive bid or to a local government or state entity.

Article XII conveys property in Habersham County, formerly used as the Cornelia Entomology Lab or Poultry Lab, to the State Properties Commission to offer by competitive bid or to a local government or state entity.

Article XIII conveys land in Macon County that was used as the Montezuma Poultry Veterinary Diagnostic Lab to the State Properties Commission, to offer by competitive bid or to a local government or state entity.

Article XIV conveys property in Madison County that was formerly the Georgia Forestry Commission's Madison Sub-Unit. Madison County will acquire the property from the state for \$10 and will be responsible for the operating costs, maintenance and facility renovations and allow the Forestry Commission to keep personnel and equipment at the site at no additional cost to the state.

Article XV conveys property in McIntosh County that was formerly the McIntosh Youth Development Center. The Department of Juvenile Justice is surplusing this property to the Coastal Regional Commission.

Article XVI conveys property in Mitchell County, formerly used as the Camilla Poultry Veterinary Diagnostic Lab, to the State Properties Commission to offer by competitive bid or to a local government or state entity.

Article XVII conveys property in Montgomery County, formerly the Georgia Forestry Commission's Montgomery Sub-Unit, to the county for the sum of \$10, provided the county use the property for a public purpose. The county will pay all operations, maintenance, and facility renovations, and allow the Forestry Commission to keep personnel and equipment there at no additional cost to the state.

Article XVIII conveys property in Muscogee County, under the custody of the Technical College System of Georgia, to the Columbus Consolidated Government for state consideration of improving access to the site by constructing a traffic circle.

Article XIX conveys property in Quitman County, under the custody of the Georgia Forestry Commission and formerly used as the Stewart Sub-Unit, to the State Properties Commission to offer by competitive bid or to a local government or state entity.

Article XX conveys property in Telfair County, formerly used as Milan State Prison, to the State Properties Commission for sale to the City of Milan for \$10,000 or to offer by competitive bid to a local government or state entity.

Article XXI conveys land in Ware County, under the custody of the Technical College System of Georgia, to the City of Waycross for state consideration of improving traffic safety, turning radius, and storm-water drainage. The city is improving the road as part of a Department of Transportation Local Maintenance and Improvement Grant (LMIG).

Article XXII conveys property in Washington County, formerly used as the Sandersville Armory and currently in custody of the Department of Defense, to the City of Sandersville for a consideration of \$10. The property is to be used for a public purpose.

Article XXIII conveys property in Wayne County, formerly known as the Jesup Farmers' Market and District Office and currently under the custody of the Department of Agriculture, for the State Properties Commission to offer for competitive bid or to a local government or state entity.

Article XXIV conveys property in Whitfield County, formerly known as the Dalton Poultry Veterinary Diagnostic Lab, to the State Properties Commission to offer as a competitive bid or to a local government or state entity.

HR 1731

House Comprehensive Motor Vehicle and Traffic Reform Study Committee; create

**Rep. Tom Rice of the 51st
House Committee on Judiciary Non-Civil**

Bill Summary:

House Resolution 1731 creates the House Comprehensive Motor Vehicle and Traffic Reform Study Committee. The study committee will undertake a comprehensive study and determine how best to modernize and organize Georgia's motor vehicle and traffic provisions into a more equitable manageable system for all Georgians.

SB 33

Waste Reduction Act of 2011; Zero-Base Budgeting Act; application to the budget process; analysis of departmental/program objectives

**Sen. David Shafer of the 48th
House Committee on Budget and Fiscal Affairs Oversight**

Bill Summary:

This bill provides for Zero-Base Budgeting (ZBB) in the State of Georgia beginning January 2013. The House, Senate and Governor's budget offices are authorized to determine certain executive branch agencies and programs to submit a ZBB at least once every ten years, but not more than once every eight years, in a coordinated format determined by the Governor and the Office of Planning and Budget. The Joint Fiscal Affairs Subcommittee is authorized to review and/or hold hearings on ZBB submissions. Both the Governor's budget office and the Joint Fiscal Affairs Subcommittee shall maintain effectiveness, efficiency and equity measures related to ZBB.

Those entities required to perform a ZBB will include an analysis of the two previous fiscal years, as well as proposed and prioritized fiscal spending plans with program, object class, and revenue source information. It should also include purpose statements and benchmarks of each program's efficiency and scope as well as alternative funding levels for each program. The information will be presented in the Governor's Budget Report in a manner determined by that office.

The bill includes the Board of Regents as an entity under these requirements and requires that the Department of Education's budget be submitted in ZBB format in January 2013. SB 33 also encourages the judicial branch to participate in the ZBB process. A sunset provision for June 30, 2020 automatically repeals ZBB unless it is reauthorized.

SB 37

State Properties Commission; multiyear lease agreements; provide for termination of certain rental/lease agreements

**Sen. Earl "Buddy" Carter of the 1st
House Committee on State Institutions & Property**

Bill Summary:

This Bill allows that State Properties Commission to enter into multi-year leases not to exceed ten years, or in the case of sale and leaseback, not to exceed twenty years. It directs the GA Financing and Investment Commission to establish policies regarding multi-year leases, and sets guidelines for how these leases should be handled in the State Budget. It authorizes the commission to contract with a licensed real estate broker for transaction management.

It also requires the commission to provide an annual report to the governor, president of the Senate, speaker of the House, chairpersons of the Senate and House Appropriations committees, and chairpersons of the Senate and House State Institutions and Property committees. The report shall provide: the total sum of all leasing obligations to be paid by the state for the upcoming fiscal year; all revenues collected from the previous fiscal year, including revenues collected from broker fees; and an itemized budget allocation for the upcoming fiscal year.

SB 38 (VETOED)

Education; authority for the State School Superintendent to employ and dismiss employees

**Sen. Chip Rogers of the 21st
House Committee on Education**

Bill Summary:

Senate Bill 38 authorizes the Georgia State School Superintendent to have the sole authority to employ or dismiss such clerical employees, supervisors, administrators and other employees that may be necessary for the efficient operation of the Department of Education. However, the State Board of Education shall have the authority to overturn a decision of the State School Superintendent as to hiring and dismissal by a two-thirds vote. This is also true for the employing or dismissal of employees at the state schools for the deaf and blind.

Also, the State School Superintendent shall have authority to enter into contracts for the amount of \$250,000 or less on behalf of the Department of Education.

SB 50

Courts; add certain fees for funding of local victim assistance programs

**Sen. Bill Hamrick of the 30th
House Committee on Judiciary**

Bill Summary:

The bill amends the priority list for distribution of fines and fees collected by clerks of superior court if the full amount is not collected and adds the Georgia Crime Victims Emergency Fund, victim's services, and the Brain and Spinal Injury Trust Fund to the priority list.

A new section amends the Code section regarding alternative locations for courthouses. The provision requiring the consent of an accused in order to hold a criminal jury trial in an alternate location was removed in this legislation.

SB 92

Elections; provide limitations on when in-person absentee balloting may be conducted; advance voting

**Sen. Joshua McKoon of the 29th
House Committee on Governmental Affairs**

Bill Summary:

Senate Bill 92 is the annual "clean up" bill for the Elections Division of the Secretary of State's Office.

It provides that in any case where an incumbent has filed notice of candidacy and paid the prescribed qualifying fee in a partisan or nonpartisan election to succeed himself or herself in office but withdraws prior to the close of the applicable qualifying period prescribed in this subsection, that the qualifying for candidates other than the incumbent shall be reopened at 9:00 A.M. on the Monday next following the close of the preceding qualifying period and shall cease at 5:00 P.M. on the Tuesday immediately following such reopening, notwithstanding the fact that any such days may be legal holidays.

It provides that nonpartisan elections for members of consolidated governments shall be considered county elections and not municipal elections.

SB 101

Elections; poll officers; provide for the Student Teen Election Participant program

**Sen. Jesse Stone of the 23rd
House Committee on Governmental Affairs**

Bill Summary:

Senate Bill 101 allows election superintendents to develop and implement through a coordinated effort a Student Teen Election Participant (STEP) program. The STEP program shall permit full-time public, private, and home schooled high school students to volunteer to work as poll officers during any primary, special, or general election.

SB 110

Waste Management; restrictions on municipal solid waste landfill sites within significant ground-water recharge areas; provisions

**Sen. Jack Murphy of the 27th
House Committee on Natural Resources & Environment**

Bill Summary:

This bill delays the implementation of Environmental Protection Division (EPD) rules and regulations regarding septic tanks from July 1, 2012 to July 1, 2014 in order to allow small businesses to prepare for the changes. The bill also states that any public water system within Georgia supplying water to customers who utilize a waste-water sewer system owned by a local government or authority must furnish the government or authority with the amount of water consumed by each individually metered customer account during each billing period. The water supplier shall cut off the water if the customer fails to pay within five business days, and the water supplier is authorized to charge a resumption and suspension fee.

SB 113

Local government; municipal corporations; contracts; does not change/conflict with any existing authority

**Sen. Earl "Buddy" Carter of the 1st
House Committee on Governmental Affairs**

Bill Summary:

Senate Bill 113 clarifies the ability of cities to enter into energy performance savings contracts and the provisions to which they shall adhere when exercising the authority to execute said contracts. In addition, the bill also opens the list of qualified energy services providers maintained by Georgia Environmental Finance Authority to allow additions of providers at any point to prequalify.

SB 114

Distilled Spirits; provide for issuance of a manufacturer's/distiller's license to a fruit grower; certain circumstances

**Sen. Johnny Grant of the 25th
House Committee on Regulated Industries**

Bill Summary:

Senate Bill 114 makes it unlawful for a licensee to sell or dispose of distilled spirits or alcohol in any municipality, county or unincorporated area of a county in which the sale of distilled spirits or alcohol is prohibited and to any person not holding an importer's, broker's, or wholesaler's license issued pursuant to this chapter or another state. A manufacturer's or distiller's license may be issued to a fruit grower, or other agricultural product producer, for the manufacture of distilled spirits in any county or municipality of Georgia that has approved the package sales of distilled spirits and/or the sale of distilled spirits by the drink. A licensed manufacturer or distiller issued a license may provide educational and promotional tours.

SB 117

Levy/Sale of Property; increase the amount of certain exemptions

**Sen. Jesse Stone of the 23rd
House Committee on Judiciary**

Bill Summary:

Senate Bill 117 increases the bankruptcy homestead exemption from \$10,000 to \$21,500.

SB 136

Property; provide for transfer of control of a condominium association in certain circumstances

**Sen. Bill Hamrick of the 30th
House Committee on Judiciary**

Bill Summary:

Senate Bill 136 allows the right to control a condominium association to pass to the unit owners prior to the usual expiration of the declarant's right to control the association if the declarant fails to satisfy any of the following:

- 1) Incorporate the association;
- 2) Appoint the board of directors and arrange for election of officers;
- 3) Maintain a list of the board members' names and addresses;
- 4) Call meetings according to the association's bylaws (at least annually); or
- 5) Prepare an annual operating budget and provide to owners with the annual assessment.

Any owner may send notice of a declarant's failure to comply. If the declarant fails to cure within 30 days, the owner may file a petition in superior court for an order granting the owners control of the association.

SB 143

Massage Therapy Practice; provide that an applicant for a license by endorsement shall provide certain information

**Sen. Steve Henson of the 41st
House Committee on Regulated Industries**

Bill Summary:

Senate Bill 143, relating to the licensure of massage therapists, removes obsolete language and includes a requirement that the applicant have satisfactory results from a fingerprint records check report and criminal background check. The applicant shall be responsible for all fees related to these reports.

Section 2 amends Code Section 43-24A-9 relating to provisional permits by modifying the duration and necessary criteria. The duration of a provisional permit, which was two years, shall become six months. The necessary criteria an individual must meet to be issued a provisional permit are: holds a valid license as a massage therapist in another state; is not a resident of this state; has not had a license or permit voided, revoked, suspended, or annulled; and has not been convicted of a felony. A provisional permit shall require the applicant to work under the supervision of a licensed massage therapist.

The board may be authorized to promulgate rules and regulations regarding supervision of provisional permit holders, and the provisional permit may be voided if the board determines the person holding the permit no longer meets the necessary criteria.

Section 3 amends Code Section 43-24A-13 relating to license by endorsement to include a requirement that the applicant have satisfactory results from a fingerprint records check report and criminal background check. The applicant shall be responsible for all fees related to these reports.

SB 153

Education; professional development plans for personnel who have deficiencies; provide certain requirements and rights

**Sen. Chip Rogers of the 21st
House Committee on Education**

Bill Summary:

Senate Bill 153 states that if an employee is terminated or suspended due to the loss of students or program cancellation, the administration will specifically state in writing that his or her termination/suspension is no fault of their own. If any school personnel are furloughed, the furlough day will take place on a Monday or Friday or in conjunction with a holiday.

SB 181

Attorney General; prohibit contingent compensation under certain circumstances

**Sen. Charlie Bethel of the 54th
House Committee on Judiciary**

Bill Summary:

Senate Bill 181 prohibits special prosecutors from being compensated on a contingency basis in forfeiture actions.

Section 1 mirrors the language of Rep. Mike Jacob's HB 64 and amends Code provisions relating to the payment of attorney fees upon notes or other evidence of indebtedness where such fees are provided for but a specified amount is not set forth in the instrument.

In a civil action, if the award of attorney's fees provided under the Code section results in an amount greater than \$20,000, the party who is required to pay may, prior to the entry of judgment, petition the court for a determination as to the reasonableness of the attorney's fees. The party requesting the attorney's fees will submit an affidavit and the party required to pay may respond. The court has discretion to decide whether the amount to be awarded is reasonable and necessary by hearing or based on the written evidence. A civil action to be cannot be instituted solely for the purpose of determining the reasonableness of the attorney's fees.

SB 183

Education; school health nurse programs; revise provisions

**Sen. Greg Goggans of the 7th
House Committee on Health & Human Services**

Bill Summary:

This bill amends §20-2-771.2 to allow local boards of education to consult with off-campus health care professionals, using appropriate protocols and contracts, for the school nurse program. This includes telemedicine.

SB 184

Teachers/School Personnel; provide requirements for reduction in force policies; sanctions

**Sen. Tommie Williams of the 19th
House Committee on Education**

Bill Summary:

Senate Bill 184 provides for improvement of teachers and retention of the most effective teachers. Local boards shall not adopt or implement a policy that allows length of service to be the primary or determining factor when implementing a reduction in force. They shall consider the performance of the educator, which may be student academic performance, as the primary factor.

This bill also establishes a task force to review professional learning requirements and to make recommendations to the State Board of Education. The task force will be called the Professional Learning Rules Task Force and shall be composed of many different members within the education community. This task force shall present recommendations no later than July 1, 2013, and after review and approval from State Board of Education, the new rules shall be adopted on or before June 30, 2015.

SB 203

Insurance; provide that certain individuals who collect/input data; automated claims adjudication system are exempt from licensure

**Sen. Charlie Bethel of the 54th
House Committee on Insurance**

Bill Summary:

Senate Bill 203 provides that certain individuals who collect and input data into an automated claims adjudication system, and are supervised by a fully licensed agent, are exempt from licensure by the Department of Insurance.

Further, the bill defines "Georgia small business investment company" as a partnership, corporation, trust, or limited liability company organized on a for-profit basis, that: has its principal office located or is headquartered in Georgia; has as its primary business activity the investment of cash in qualified businesses; and is certified by the department as meeting the criteria in this Code section.

This bill allows these companies to invest in certain Georgia domiciled small businesses with those investments being repaid with a reduction in their insurance premium taxes of 20 percent over five years. This repayment begins after the third year of the investment.

SB 225

Criminal Offenses; provide for new offense of transmitting a false report; penalties

**Sen. Butch Miller of the 49th
House Committee on Judiciary Non-Civil**

Bill Summary:

Senate Bill 225 makes it illegal to intentionally report a false claim by news or social media, electronic distribution or any other indirect method of communication.

SB 227

Education; declarations of intent/attendance records for home study programs; submitted to Dept. of Education rather than local school superintendents

**Sen. Barry Loudermilk of the 52nd
House Committee on Education**

Bill Summary:

Senate Bill 227 requests that Georgia enter into an "Interstate Compact on Educational Opportunity for Military Children" with other states to remove barriers to educational success that are imposed on children of military families because of frequent moves and deployment of their parents. The goal of the interstate compact is to harmonize the widely varying policies that affect transitioning military students with a comprehensive multi-state approach that provides a consistent transition procedure in every school district and in every state that chooses to join.

SB 231

Probation; provide additional offenses for which first offender status shall not be granted

**Sen. Lindsey Tippins of the 37th
House Committee on Judiciary Non-Civil**

Bill Summary:

The bill precludes those who have been charged with inflicting serious harm or injury on a law enforcement officer from receiving probation and first offender status if convicted of such crime.

SB 234

Georgia Public Revenue Code; extensively revise provisions; ad valorem tax assessments and appeals from such assessments

**Sen. Chip Rogers of the 21st
House Committee on Judiciary**

Bill Summary:

This bill revises the "Georgia Public Revenue Code" regarding provisions relating to ad valorem tax assessments and appeals from such assessments. SB 234:

- Provides for additional notice requirements for those that purchase tax executions;
- Prohibits the sale of a tax execution while the value of the property is in appeal;
- Requires partial payment on a property tax bill containing fees or assessments to fully satisfy the property tax liability before applying the rest to the fees or assessments;
- Authorizes counties to form a regional tax assessor's office or share specialized appraisal staff;
- Establishes a review board under the Department of Revenue to investigate complaints filed on members of a Board of Assessors or Boards of Equalization that have been accused of willful disregard of the law or inappropriate, unprofessional, abusive behavior;
- Requires applicants seeking appointment to the Board of Equalization to disclose their educational background and experience;
- Requires an additional 40 hours of continuing education for members of the Board of Equalization entering their third term;
- Establishes deadlines for the Board of Assessors to respond to appeals;
- Defines the temporary tax payment due while a property is in appeal;
- Further defines the process for having an appeal heard by a hearing officer;
- Further defines the process for having an appeal heard by an arbitrator;
- Places a two-year moratorium on penalties for failing to maintain a tax digest in compliance with the state sales ratio study;
- Defines a single contract for collecting city property taxes between the county, city and tax commissioner; and
- Requires the purchase price of the property to be disclosed on the PT-61 form.

SB 236

Drivers' Licenses; persons convicted under the influence; allow certain drivers with suspended licenses; limited driving permits

**Sen. Bill Cowser of the 46th
House Committee on Judiciary Non-Civil**

Bill Summary:

Section 1 expands access to the required drug/alcohol course for students to obtain a driver's license to the student's parent or guardian(s) and gives them the option of taking the course electronically. Where a parent/guardian takes advantage of the course, SB 236 entitles them to a one-time, three-year online motor vehicle report.

SB 236 gives discretion to judges to allow limited driving permits to someone with a second DUI offense in limited circumstances.

It also includes a reciprocity provision for children who take driver education courses in other states within nine months of his or her sixteenth birthday but have moved to Georgia.

SB 246

Retirement; provide an increase in the employee contribution; retirement benefit; conditions

**Sen. Jack Hill of the 4th
House Committee on Retirement**

Bill Summary:

Senate Bill 246 is a fiscal retirement bill relating to the Public School Employees Retirement System (PSERS). It raises the employee contribution for those that become members on or after July 1, 2012 from \$4.00 per month to \$10.00 per month. Additionally, it increases the maximum monthly retirement benefit for those who retire on or after July 1, 2012 from \$15.00 per month to \$16.50 per month for each year of creditable service. Finally, this bill increases the minimum monthly retirement benefit from \$12.00 per month to \$14.75 per month, which is the amount currently paid by the system.

SB 268

Board of Education of Jones County; provide that future elections for members shall be conducted on a nonpartisan basis

**Sen. Cecil Staton of the 18th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to provide for the nonpartisan election of the members of the Jones County Board of Education.

SB 284

Georgia Land Bank Act; governing creation/operation of land banks; provisions

**Sen. Tim Golden of the 8th
House Committee on Ways & Means**

Bill Summary:

This bill allows counties to work together to establish regional land banks (LBAs). It establishes a self-financing mechanism for LBAs so that they will have less reliance on funding from local governments. The bill gives local governments an option to allow LBAs to receive up to 75 percent of city and county property taxes (not school taxes) for five years on a redevelopment project in which the LBA has conveyed property to a developer. On most properties, the local government was previously not receiving any property tax payments prior to the redevelopment. It also changes the law to provide for an odd number of board members.

SB 286

Retirement; tax commissioner or an employee of any such officer; membership; Employees' Retirement System of Georgia

**Sen. Bill Heath of the 31st
House Committee on Retirement**

Bill Summary:

This legislation provides that any tax commissioner, tax collector, tax receiver, and their employees who first or again take office on or after July 1, 2012 shall not automatically become a member of the Employees' Retirement System. Each local governing authority shall have the option of deciding by resolution whether the employees will participate in the Employees' Retirement System. If they elect to participate, the employer (not the state) will be responsible for paying the employer's share of the required contribution. Membership in two pension plans would be prohibited.

Any person serving in a covered position on July 1, 2012 shall remain a member of the Employees' Retirement System provided there is no break in service.

This legislation also provides for a method of calculating accrued benefits for public employees who transfer between the Employees' Retirement System and the Teachers' Retirement System. This impacts anyone who transferred between systems from January 1, 2009 through June 30, 2012. This is a fiscal retirement bill.

SB 289

Education; require students; one course containing online learning

**Sen. Chip Rogers of the 21st
House Committee on Education**

Bill Summary:

Senate Bill 289 states that the Board of Education shall establish rules and regulations to maximize the number of students, starting with the 9th Grade class in the 2014-2015 school year, to take one online learning course before graduation. This class will be offered by the Georgia Virtual School.

- By the 2015-2016 school year, all end-of-course assessments shall be available online and the State Board shall establish rules and regulations to maximize the students utilizing the online assessments.
- Each local school system will have to pay costs for tuition, materials, and fees directly related to the course; however, no amount of tuition charged to the local school system shall exceed \$250 per student per year.
- There will be an enrollment period for full-time students (3rd through 12th Grades) of at least 90 days and not ending earlier than 30 days prior to the first day of school.

- One of all of the following mechanisms must be applied by the local school system to provide virtual instruction for students: facilitate enrollment in the Georgia Virtual School; enter into a contract with an approved provider; and allow a local school system to enter into an agreement with another local school system(s) to allow participation of its students in an approved virtual program.
- The department will give a list of approved providers to offer virtual instruction programs. Approved is described as having prior successful experience in offering online courses, as well as assuring instructional and curricular quality through a detailed curriculum and student performance plan that addresses every subject and grade level through:
 - Courses and programs that meet the nationally recognized standards for K-12 online learning;
 - Instructional content and services that align with student attainment or proficiency in the state approved curriculum;
 - Mechanisms that determine students satisfy requirements for grade level promotion and high school graduation; and
 An approved provider shall retain its approved status for five years.
- The Department of Education must submit a report by December 1, 2012. It will identify and explain the best method to enable the department to assist local boards in: acquiring digital learning at a reasonable price; determining the level of student support and teacher-student communication; and ways to increase student access to digital learning.

SB 293

License Plates; require the nation's motto, "In God We Trust" printed on license plates; county name decal (PF)

**Sen. Bill Heath of the 31st
House Committee on Motor Vehicles**

Bill Summary:

Senate Bill 293 deletes provisions requiring license plates to display a county decal. It requires the nation's motto, "In God We Trust," to be available on a decal for use on license plates.

SB 300

Food Standards; to require proper labeling of bottles containing sugar cane or sorghum syrup

**Sen. John Bulloch of the 11th
House Committee on Agriculture & Consumer Affairs**

Bill Summary:

Senate Bill 300 amends Code Section 26-2-21 of the O.C.G.A to exclude establishments that are boiling, bottling and selling sugar cane and sorghum syrup from the definition of "food sales establishment." This bill requires the label on the product to list the following: producer's name, street address, all added ingredients and the net weight or volume of the product.

SB 302

Georgia Higher Education Facilities Authority; increase the amount of bonding authority

**Sen. Cecil Staton of the 18th
House Committee on Higher Education**

Bill Summary:

This legislation amends Chapter 16 of Title 20 of the Official Code of Georgia Annotated, relating to the Georgia Higher Education Facilities Authority, to increase the amount of bonding authority from \$300 million to \$500 million.

SB 303

Board of Education of Stewart County; reconstitute the board of education

**Sen. George Hooks of the 14th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Stewart County Board of Education.

SB 304

Board of Commissioners of Stewart County; change description of the commissioner districts

**Sen. George Hooks of the 14th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Stewart County Board of Commissioners.

SB 306

**Board of Education of Thomas County; change the description of the education districts;
definitions and inclusions**

**Sen. John Bulloch of the 11th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Thomas County Board of Education.

SB 309

**Taylor's Law; authorize issuance of special hunting privileges to persons with a terminal
illness**

**Sen. Rick Jeffares of the 17th
House Committee on Game, Fish, & Parks**

Bill Summary:

Senate Bill 309 authorizes the issuance of special hunting privileges to persons with a terminal illness as an Act which shall be known as "Taylor's Law."

The term "terminal illness" is defined to mean an illness which is incurable or irreversible with a corresponding life expectancy that is less than 12 months. The commissioner is authorized to issue special authorization to hunt big game or alligators to any person younger than 21 years of age who has been diagnosed with a terminal illness by a doctor of medicine currently licensed by either the Georgia Composite Medical Board or the State Board of Examiners in Osteopathy. This special authorization could include the waiving of quota limitations, antler restrictions, legal weapons requirements, etc. Such authorization shall be for only one hunting season. The commissioner may prepare an application to be used by the individual requesting the special authorization and may require signed documentation from a medical doctor, licensed as previously stated. The person who receives the special authorization shall conduct all hunting under the direct supervision of an adult hunter and abide by the specified terms and conditions.

SB 317

Board of Education of Baldwin County; change the description of the education districts

**Sen. Johnny Grant of the 25th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Baldwin County Board of Education.

SB 318

Board of Commissioners of Baldwin County; change the description of commissioner districts

**Sen. Johnny Grant of the 25th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Baldwin County Board of Commissioners.

SB 319

State Parks; use of boats; revise certain provisions

**Sen. Rick Jeffares of the 17th
House Committee on Game, Fish, & Parks**

Bill Summary:

Senate Bill 319 amends Code Section 12-3-10 of the Official Code of Georgia Annotated.

Section 1 makes it unlawful for any person to have or use a boat on the waters of any park, historic site, or recreational area if in violation of any prohibition or restriction posted within the area by the department. The posting of signs at the entrances of such places shall constitute sufficient notice for the park, historic area or recreational area rules. It also makes it unlawful for any person to wade fish outside of the hours of 7:00 A.M. and 10:00 P.M. unless otherwise prohibited. It shall also be unlawful to fish in waters of any park, historic site, or recreational area which have been closed and posted by the department.

Section 2 states that the term 'Live-aboard' means a floating vessel or other watercraft capable of safe, mechanically propelled navigation under average Georgia coastal wind and current conditions which is utilized as a human or animal abode and is located at a marina or a mooring area established by the department. Section 3 changes the 30-day provision to 90-days for a live-aboard permit. Sections 4 and 5 prohibit live-aboards in tidewaters, navigable streams and rivers.

SB 324

Veterinary Medicine; clarify a certain definition

**Sen. Jeff Mullis of the 53rd
House Committee on Agriculture & Consumer Affairs**

Bill Summary:

The bill amends Code Section 43-50-44 of the O.C.G.A. to clarify the exemptions from licensing and registration for veterinary medicine or veterinary technology to provide an additional exemption for any person lawfully engaged in the art or profession of farriery.

SB 331

Insurance; closing protection letters; provide for premiums; authorize Commissioner of Insurance to promulgate rules and regulations

**Sen. David Shafer of the 48th
House Committee on Insurance**

Bill Summary:

Senate Bill 331 provides for the issuance of closing protection letters and for premiums regarding such letters. It authorizes the Commissioner of Insurance to promulgate rules and regulations with regard to such matters.

SB 332

County Sales/Use Tax; expand the matters included in annual reporting of the expenditure of certain special purpose local option sales tax proceeds

**Sen. William Ligon, Jr. of the 3rd
House Committee on Ways & Means**

Bill Summary:

This legislation allows retailers to advertise that the retailer will pay the sales tax for a sale, as long as the retailer provides the consumer with some form of written evidence that the retailer is liable for the tax, and the retailer properly remits the correct amount of tax to the state. The bill also requires local officials to disclose excess funds collected through the SPLOST process on an annual process. Lastly, this measure provides cities with the ability to impose the excise tax on energy used in manufacturing at an earlier point, if the county in which the city is located does not impose the excise tax.

SB 333

Property; notices of sales made on foreclosure under power of sale shall be provided to all debtors

**Sen. Jesse Stone of the 23rd
House Committee on Judiciary**

Bill Summary:

Senate Bill 333 provides for notice of foreclosure sales to be given to borrowers of nonresidential real property.

SB 337

Insurance; limitations on licensure requirements for certain health care providers

**Sen. Greg Goggans of the 7th
House Committee on Insurance**

Bill Summary:

Senate Bill 337 provides for insurers to offer wellness endorsements or riders on health plans and to exempt these incentives from the 'Unfair Trade Practices Act.'

SB 338

"Georgia Volunteers in Dentistry and Dental Hygiene Act"; provide for special licenses for dentists and dental hygienists licensed in other jurisdictions

**Sen. Greg Goggans of the 7th
House Committee on Health & Human Services**

Bill Summary:

Senate Bill 338 amends the 'Georgia Volunteer in Dentistry and Dental Hygiene Act' to include dentists and dental hygienists who are licensed to practice anywhere in the United States.

SB 339

Georgia Aviation Authority; provide transfer of certain personnel, aircraft to Dept. of Natural Resources and State Forestry Commission

**Sen. Butch Miller of the 49th
House Committee on Transportation**

Bill Summary:

This legislation takes all aviation assets and personnel of the Department of Natural Resources and the Georgia Forestry Commission placed under the Georgia Aviation Authority upon its creation and moves them back to their respective departments. The Aviation Authority is responsible for leasing the remaining aviation assets to state agencies that lack aviation equipment as well the book keeping for these leases.

SB 343

State Accounting Office; designate as the Comptroller General; transfer the office

**Sen. Bill Heath of the 31st
House Committee on Governmental Affairs**

Bill Summary:

Senate Bill 343 designates the state accounting officer as the Comptroller General. It transfers the office, functions, duties, and responsibilities of the Comptroller General from the Commissioner of Insurance to the State Accounting Office.

SB 346

State Board of Pharmacy; prescription drugs by mail/other common carriers; provisions

**Sen. Don Balfour of the 9th
House Committee on Health & Human Services**

Bill Summary:

This bill defines "remote order entry" as the entry made by a pharmacist located within the State of Georgia from a remote location. This indicates that the pharmacist has reviewed the order, approved or disapproved the administration of the drug, and has entered the information into the hospital patient's record system.

Remote order entry is allowed if:

1. The pharmacist is not physically present in the hospital, the hospital pharmacy is closed, and a pharmacist will be physically present in the hospital pharmacy within 16 hours.
2. At least one pharmacist is physically present in the hospital pharmacy and at least one other pharmacist is practicing pharmacy in the hospital, but is not physically present in the hospital pharmacy.

SB 346 requires the director of pharmacy of the hospital to submit written policies and procedures for the use of remote order entry to the board, and it allows the board to issue a cease and desist order if they conclude that the hospital's use of remote order entry does not comply with law.

SB 350

Crimes and Offenses; disposition of firearms used in burglaries or armed robberies

**Sen. Don Balfour of the 9th
House Committee on Judiciary Non-Civil**

Bill Summary:

Senate Bill 350 provides for the disposition of firearms which have been used in burglaries or armed robberies. It provides for an innocent owner and requires that an innocent owner's firearm be returned to such person when the firearm is no longer needed for evidentiary purposes.

SB 351

Municipal Courts; require same training for all judges of courts exercising municipal court jurisdiction

**Sen. John Crosby of the 13th
House Committee on Judiciary**

Bill Summary:

Senate Bill 351 requires judges of all courts exercising municipal court jurisdiction to undergo and complete annual training.

SB 352

Prosecuting Attorneys; provide; probate courts, municipal courts, and courts exercising municipal court jurisdiction; process of such employment

**Sen. John Crosby of the 13th
House Committee on Judiciary Non-Civil**

Bill Summary:

Senate Bill 352 authorizes cities to employ prosecuting attorneys in municipal courts and courts exercising municipal court jurisdiction.

It adds additional provisions regarding prosecuting attorneys in municipal courts. It establishes procedure for establishing an office of prosecuting attorney; requirements to be appointed a prosecuting attorney; duties, authority and compensation of the attorney; provisions for additional assistant prosecuting attorneys; and procedure in the event of a solicitor general's death.

In addition, Section 5 which grants municipal courts jurisdiction over cases of persons charged with transactions in drug related objects if the offense occurred within the corporate limits of the municipality.

SB 354

Board of Commissioners of Toombs County; reconstitute the board of commissioners

**Sen. Tommie Williams of the 19th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Toombs County Board of Commissioners.

SB 356

Superior Courts; provide additional judge of the Bell-Forsyth Judicial Circuit; initial appointment; election and term of office

**Sen. Jack Murphy of the 27th
House Committee on Judiciary**

Bill Summary:

In August 2011, the Judicial Council approved six (6) new superior court judgeships. State appropriations have been set aside for two new judgeships, so SB 356 provides for the appointment of two new judgeships in the order of priority suggested by the Judicial Council. SB 356 creates one new judgeship in the Bell-Forsyth circuit and one in the Piedmont circuit.

Provisions were added for the Gwinnett Judicial Circuit in regards to the selection of a chief judge and grants authority to promulgate rules of court procedure upon and after qualification of an additional judge to the circuit.

SB 357

Agriculture; repeal the "Georgia Treated Timber Products Act of 1973"

**Sen. John Wilkinson of the 50th
House Committee on Agriculture & Consumer Affairs**

Bill Summary:

The legislation repeals the 'Georgia Treated Timber Products Act of 1973.'

SB 358

State Government; require this state to reciprocate the preferences granted by out-of-state local governments; resident vendors

**Sen. John Bulloch of the 11th
House Committee on Agriculture & Consumer Affairs**

Bill Summary:

The legislation requires that Georgia's resident vendors be granted the same preference over vendors resident in an another state in the same manner, on the same basis, and to the same extent that preference is granted in awarding bids for the same goods or services by the other state, or one of its local governments, to their vendors over Georgia vendors.

SB 361

Healthcare Facilities; expand provisions; nationally recognized health care accreditation body

**Sen. Butch Miller of the 49th
House Committee on Health & Human Services**

Bill Summary:

Senate Bill 361 amends the state health planning and development requirements to include compliance with accreditation standards of a nationally recognized health care accreditation body.

SB 363

Board of Commissioners of Thomas County; change description of the commissioner districts; definitions and inclusions

**Sen. John Bulloch of the 11th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Thomas County Board of Commissioners.

SB 365

Property; collected funds; change prov.; residential real property; provide form Acknowledgment and Waiver of Borrower's Rights

**Sen. Bill Hamrick of the 30th
House Committee on Judiciary**

Bill Summary:

Senate Bill 365 changes certain provisions relating to real estate professionals. It specifies that "appraisal management company" does not include a relocation company, and it states that a "relocation company" means a business entity that acts as an agent or contractor of an employer for the purposes of relocating their employees and determining an anticipated sales price of the residences of the employees being relocated. The definitions relative to real estate brokers and salespersons is amended to include a person who is a referral agent for the purpose of securing prospects for property management services and community association management services. The bill also modifies the qualifications to become an applicant for a broker or associate broker's license to include that an applicant 'maintain a license in active status for at least three of the last five years immediately preceding such examination.'

Senate Bill 365 allows the Georgia Real Estate Appraisers Board and the commissioner to issue a letter of findings to the appraiser if the alleged violation appears to have done no harm to a third party or to the public. Any action taken by the board or commissioner may be construed as a 'disciplinary sanction' or 'sanction.' Having a disciplinary letter of findings imposed on a member of the board is not grounds for removal from office. The definition of a felony conviction is modified to include an offense deemed a felony in another state. The bill allows the commissioner to consider disciplinary actions by another state's real estate brokerage licensing authority in determining the severity of a new sanction and removes the ability of the board to use the matters asserted in the notice of hearing for refusal of a new appraiser classification in the event that an appraisers classification lapses after the board has filed a notice of hearing but before the board enters a final order.

The obligations of the real estate education, research, and recovery fund, are modified to state that the amount that nothing shall be construed to obligate the fund from \$15,000 to \$25,000 per transaction, the liability of the fund for the acts of a licensee from \$45,000 to \$75,000, and that no person who establishes a proper claim or claims under this Code section shall ever obtain more than from \$15,000 to \$25,000. The bill removes the statement that the aggrieved person shall notify the commission in writing, by certified mail or statutory overnight delivery, return receipt requested and includes the right of the commission to object to a verified claim on the issue of whether or not the claim was in violation of this chapter.

Senate Bill 365 redefines a settlement agent to be a lender or an active member of the State Bar of Georgia. The bill provides a penalty for anyone or any entity which conducts the settlement and disbursement of loan funds, when he, she, or it is not the settlement agent. However, the House committee substitute adds a provision for real estate brokers and salespersons to protect their common practice of handling earnest money checks.

SB 366

Juvenile Justice Dept.; revise restrictions; possessions of contraband at juvenile detention centers

**Sen. Johnny Grant of the 25th
House Committee on Judiciary Non-Civil**

Bill Summary:

Senate Bill 366 includes cell phones in the definition of contraband, establishes guard lines and provides for punishment for those found guilty of furnishing or introducing contraband into Department of Juvenile Justice facilities.

It also removes the sunset provision that juveniles would stay in youth detention centers for 30 days maximum. Otherwise, the provision would be moved to 60 days maximum in July 2013.

SB 367

Agriculture Commissioner; authorized to require persons incurring civil penalties to obtain a surety bond

**Sen. John Bulloch of the 11th
House Committee on Agriculture & Consumer Affairs**

Bill Summary:

The legislation amends Code Section 2-2-9.1 of the O.C.G.A. and provides for the person incurring civil penalties to obtain a surety bond. The new language states that, "The Commissioner may require any person to obtain a surety bond on the balance of a monetary penalty or suspended portion of a monetary penalty imposed on such person pursuant to a consent order or final decision from which no further review is taken or allowed. If any aggrieved or adversely affected party fails to follow the terms of such consent order or final decision, the Commissioner may commence and maintain an action against the principal and surety on the bond."

SB 368

Nurses; provide for continuing competency requirements; renewal of licenses

**Sen. Earl "Buddy" Carter of the 1st
House Committee on Health & Human Services**

Bill Summary:

In Section 1, Senate Bill 368 requires one of the following continuing competency requirements to be completed for nursing license renewals beginning in 2015: completion of 30 continuing education hours; maintenance of certification by a national certifying body recognized by the board; verification of competency and at least 500 hours practiced; and other activities as

prescribed and approved by the board. The board may waive or modify the continuing competency requirement in cases of hardship, disability, illness, or as the board sees appropriate.

Section 2 states a nurse may elect to place his or her license on an inactive status. This would allow the nurse to be excused from payment of renewal fees. A nurse with an inactive license may restore their active status through application and payment with the board. The board will require evidence of competency to resume practicing and restore the active status. A nurse with an inactive status shall not practice nursing as a registered nurse or advanced practice registered nurse in Georgia. The board will be required to give a courtesy notice to an inactive licensee within 180 days of being inactive for five years. After five years, current law mandates that the nurse complete a "refresher course" before resuming practice.

Section 3 requires a nurse who has reasonable cause to believe that another nurse has violated any of the following will be required to report to the board. Any employer of nurses who has terminated or accepted a resignation in avoidance of termination for the violation of any of the following will report to the board. Any state agency that licenses, registers, or certifies a health care facility will report to the board if they have evidence that a nurse has violated any of the following. If a nurse enters a voluntary alternative to discipline program approved by the board, reporting will not be required under this Code section.

Violations include: practicing without a valid, current license; practicing under cover of any fraudulent diploma or license; practicing during the time the license is suspended, revoked, surrendered, or administratively revoked for failure to renew; using any words, abbreviations, figures, letters, title, sign, card, or device implying that such person is a licensed nurse; fraudulently furnishing a license to practice nursing; knowing, aiding, or abetting any person to violate this chapter; being convicted of a felony, crime involving moral turpitude, or crime violating a federal or state law relating to controlled substances or dangerous drugs; and/or displaying an inability to practice nursing with reasonable skill and safety due to the use of alcohol, drugs, narcotics, or chemicals.

This bill gives immunity to anyone required to report a nurse under this article, but who act in good faith when they report or fail to report to the board. Additionally, physicians or other licensed health care professionals who examine a nurse at the request of the board will be immune from suit for damages by the nurse if they act in good faith.

SB 370

Controlled Substances; Schedule I and V controlled substance; "dangerous drug"; provisions

**Sen. Earl "Buddy" Carter of the 1st
House Committee on Judiciary Non-Civil**

Bill Summary:

Senate Bill 370 is the annual drug update bill by the Board of Pharmacy moving new and existing drugs into different classes. Section 1 dedicates the bill to Chase Burnett who died from using synthetic marijuana.

SB 371

Aviation; provide for local governments' ability to accept community improvement district funds

**Sen. Lindsey Tippins of the 37th
House Committee on Governmental Affairs**

Bill Summary:

Senate Bill 371 authorizes local governments to enter into cooperative agreements with Community Improvement Districts (CIDs) to utilize CID funds to assist with airport improvements.

SB 372

"Disposition of Veterans' Cremated Remains Act"; provide for a determination; deceased veteran; certain notifications

**Sen. Renee Unterman of the 45th
House Committee on Judiciary**

Bill Summary:

Senate Bill 372 allows approved non-profit organizations to work with funeral homes in discovering unclaimed veteran remains.

SB 380

Pharmacist and Pharmacies; change definition of security paper; State Board of Pharmacy; revisions

**Sen. Earl "Buddy" Carter of the 1st
House Committee on Health & Human Services**

Bill Summary:

In Section 1, Senate Bill 380 amends the definition of security paper to include Medicare and Medicaid requirements for a tamper-resistant prescription.

Section 2 states the State Board of Pharmacy may only deny registration to a nonresident pharmacy or device distributor for good cause related to substantial evidence of misfeasance or malfeasance by an applicant. These firms will be required to disclose the following information to the board:

- 1.) Proof of a valid, unexpired license, permit, or registration to operate a pharmacy and device distributor in compliance with the laws and rules of the state in which the facility is located.
- 2.) The location, names, and titles of all principal corporate officers and the pharmacist who serves as the pharmacist in charge for dispensing all drugs.
- 3.) Change of registered location and the state and federal registrations for the new location.
- 4.) Proof that it complies with all lawful directions and requests for information from the regulatory or licensing agency of all states in which it is licensed as well as with all requests for information made by the board.
- 5.) The location of records for all prescription drug or medical device orders in this state.
- 6.) A toll-free telephone service to facilitate communication between patients in this state and a pharmacist at the pharmacy or person at the medical device distributor who has access to the patient's records.

It requires the applications for this type of permit to be made on a written or electronic form made available by the board and allows the board to set the registration and renewal fees. The bill allows the board to deny, revoke, or suspend registration of, or fine or reprimand a nonresident pharmacy or medical device distributor for failure to comply with rules or law, as well as for conduct which causes serious bodily injury or serious psychological injury to a resident of this state. SB 380 makes it unlawful for these firms to advertise their services if the firm remains unregistered after the effective date set by the board. The pharmacist in charge of the nonresident pharmacy must be licensed in his or her state of location. An amendment of Code Section 26-4-60 enables a person or pharmacy regulated by the board to regularly employ mailing to sell, distribute, or deliver a prescription drug.

Section 3 allows the Georgia Drugs and Narcotics Agency to accept donations, contributions, grants, or bequests of funds or property for the Prescription Drug Monitoring program. These funds will be reviewed by the Appropriations committees of the House and Senate.

Section 4 defines a "valid prescription drug order" as a prescription drug order issued by a physician, dentist, podiatrist, veterinarian, or other person licensed, registered, or otherwise authorized under the law to prescribe dangerous drugs and controlled substances.

Section 5 strikes the requirements of board approval of security paper before marketing or sale in Georgia and the requirement to affix a seal.

Section 6 defines "dispenser" as any pharmacy or facility which is located outside this state and ships, mails, or delivers a dispensed dangerous drug or controlled substance into this state.

SB 382

Public Service Commission; change description of the election districts; manner of election and term of office

Sen. David Shafer of the 48th

House Committee on Legislative & Congressional Reapportionment

Bill Summary:

This legislation redraws the five districts for the Public Service Commission as according to the 2010 Census.

SB 383

'Georgia International Commercial Arbitration Code'; repeal Part 2, relating to international arbitration

Sen. Bill Hamrick of the 30th

House Committee on Judiciary

Bill Summary:

Senate Bill 383 updates and modernizes Georgia's international commercial arbitration Code primarily by separating the international Code from the domestic process.

SB 385

Insurance Commissioner; provide for confidentiality of certain records; exceptions; premium taxes and rate; manner of collection

Sen. David Shafer of the 48th

House Committee on Insurance

Bill Summary:

Senate Bill 385 is a bill for the Department of Insurance. It provides for the confidentiality of certain records of the Commissioner of Insurance to extend to state, federal, or international regulatory law enforcement. It provides for certain premium taxes and the rate and manner of collection to include state participation in certain agreements with other states. It revises certain provisions regarding reinsurance and reinsurance credits applicable to an assuming insurer licensed in its state of domicile or of certain alien assuming insurers.

SB 388

Board of Commissioners of Decatur County; change the description of commissioner districts

**Sen. John Bulloch of the 11th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Decatur County Board of Commissioners.

SB 389

Board of Education of Decatur County; change the description of the education districts

**Sen. John Bulloch of the 11th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Decatur County Board of Education.

SB 390

Agriculture; provide immunity from civil liability for the agency designated to provide for seed certification

**Sen. John Bulloch of the 11th
House Committee on Agriculture & Consumer Affairs**

Bill Summary:

The bill amends Code Section 2-11-52 relating to the certification of seeds and plants to provide immunity from civil liability for the agency designated to provide for seed certification of seeds and plants and certification work. It also amends Code Section 2-11-73 relating to the filing of complaints with the Seed Arbitration Council.

In order to execute the policy stated in Code Section 2-11-50, the dean of the College of Agricultural and Environmental Sciences of the University of Georgia is authorized to provide for seed, plant and variety certification and labeling. The dean shall designate a certifying agency, provided that such designee must be in good standing with the Association of Official Seed Certifying Agencies. The College shall not be held responsible for any claim, debt, obligation, or damage of any kind to

any person in conducting certification work or in the work of the certifying agent. The certifying agent designated by the dean shall, along with its employees, be immune from liability to the same extent as the state officers and employees under Article 2 of Chapter 21 of Title 50, 'The Georgia Tort Claims Act.'

Code Section 2-11-73 provides for the removal of the 10 days requirement and places in lieu thereof "in time for the seed, crop, or plants to be inspected to determine if the alleged deficiencies warrant arbitration." The substitute also provides for the following language regarding trees, "in time for the trees to be inspected to determine if the alleged deficiencies warrant arbitration."

SB 392

Board of Education of Marion County; change the description of education districts

**Sen. George Hooks of the 14th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Marion County Board of Education.

SB 393

Board of Education of Ware County; change the description of the education districts

**Sen. Greg Goggans of the 7th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Ware County Board of Education.

SB 394

Board of Commissioners of Marion County; change the description of the commissioner districts

**Sen. George Hooks of the 14th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Marion County Board of Commissioners.

SB 396

Herty Advanced Materials Development Center; change prov.; rename and transfer governance to Board of Regents

**Sen. Ronnie Chance of the 16th
House Committee on Governmental Affairs**

Bill Summary:

Senate Bill 396 renames the Herty Advanced Materials Development Center as the Georgia Southern Herty Advanced Materials Development Center and transfers governance of the center to the Board of Regents.

SB 397

Board of Education of Hall County; change the description of the education districts

**Sen. Butch Miller of the 49th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Hall County Board of Education.

SB 402

"Employees' Retirement System of Georgia Enhanced Investment Authority Act"; define certain terms relating to certain types of investments

**Sen. Tim Golden of the 8th
House Committee on Retirement**

Bill Summary:

This bill allows public retirement systems other than the Teachers Retirement System to make alternative investments. Such investments shall not exceed 20 percent of the aggregate amount of the capital to be invested in the applicable private pool and the securities being issued in the applicable private pool. It also shall not exceed 5 percent of the eligible retirement system assets at any time. If an eligible system is not in compliance, it shall come into compliance within two years, but they shall not increase the percentage of its assets committed to be invested in alternative investments.

This bill allows retirement systems to treat documents relating to alternative investment as confidential and not subject to open records. After one year, the system shall make the following information publicly available: 1. The name of the alternative investment; 2. The date the retirement system first invested in an alternative investment; 3. The aggregate amount of money the system has invested; 4. The aggregate amount of money the system has received; 5. The internal rate of return; and 6. The remaining cost of alternative investments in which the retirement system has invested at the end of the quarter.

Each year the system must provide a report to the governor and to the chairpersons of the House and Senate Retirement committees. Such report shall also be posted on the retirement system's official website. This bill has been certified as non-fiscal.

SB 403

Education; school health nurse programs; revise provisions

**Sen. Fran Millar of the 40th
House Committee on Education**

Bill Summary:

Senate Bill 403 moves to include school nurses in state formula based on full-time student counts. In Section 1, it states funding will be based on a 1:750 ratio for elementary school and a 1:1,500 ratio at the middle and high school. It will also be determined by a ratio of one registered nurse to five licensed practical nurses and based on a contract length of 180 days. School Systems that fail to meet the minimum full-time student requirement will receive a base amount of funding.

Section 2 allows the State Board of Education to give funds to local schools to purchase supplies for a school nurse program.

Section 3 establishes a school health nurse program coordinator from within the Department of Education. This person is responsible for: establishing and implementing school health nurse programs, including development of guidelines for utilizing volunteers and retirees to supplement the program; assisting in standardizing the reporting of any health information from the local system; and assisting in obtaining any additional funds/support from federal and other sources for nursing programs (i.e. Medicaid funds, local hospital partnerships).

SB 404

Education; provide for development of category -level expenditure controls for staff development funds

**Sen. Fran Millar of the 40th
House Committee on Education**

Bill Summary:

Senate Bill 404 provides for the development of category-level expenditure controls for staff development and includes administrators in professional development funding.

The State Board of Education, in consultation with the Professional Standards Commission, shall establish category-level expenditure controls to ensure that staff development funds be used in such a manner to help align professional learning with student achievement. This shall be established no later than July 1, 2015.

This bill also states that the State Board of Education shall provide professional development on state-wide strategic initiatives. This may include: training on the new common core curriculum, support for under-performing educators, and mentoring programs in specific subject areas.

Senate Bill 404 includes the implementation based on weight of salaries and benefits relating to state-wide funding for professional development in the funding formula.

SB 405

Student Achievement Office of; private college submit confidential student data to Dept. of Education shall not be liable for breach

**Sen. Butch Miller of the 49th
House Committee on Higher Education**

Bill Summary:

This legislation amends Part 2 of Article 2 of Chapter 14 of Title 20 of the Official Code of Georgia Annotated, relating to the Office of Student Achievement. The bill relieves private colleges and universities in this state that submit confidential student data and records to the Office of Student Achievement from being held liable for the breach of the confidentiality of such data and records. This Code section applies to any student data or records that are confidential under any law of this state or any federal law, including, but not limited to, the federal 'Family Educational Rights and Privacy Act,' 20 U.S.C. Section 1232g.

SB 407

Health; repeal creation of the Health Strategies Council, Clinical Laboratory, Blood Bank, and Tissue Bank Committee

**Sen. Renee Unterman of the 45th
House Committee on Health & Human Services**

Bill Summary:

This bill dissolves the Health Strategies Council, Clinical Laboratory, Blood Bank, and Tissue Bank Committee.

SB 410

Education; provide annual indicators of the quality of learning by students, financial efficiency, and school climate for individual schools/school sys.

**Sen. Tommie Williams of the 19th
House Committee on Education**

Bill Summary:

Senate Bill 410 provides annual indicators for the quality of learning by students, financial efficiency and school climate for each individual K-12 school. Quality of learning shall be based on data including student achievement, achievement gap closure, and student progress. Financial efficiency may include analysis of how federal and state funds spent by local schools systems impact: student achievement and school improvement; actual achievement; resource efficiency; and student participation in standardized testing.

Financial efficiency and school climate shall have a star rating from 5-star to 1-star. In coordination with the Department of Education, the office shall establish and calculate a numerical score on a scale of 0-100 annually for each public school and school system. In the State of Georgia, a report card shall be issued for each school in a school system. This report card shall include performance data on quality of learning, financial efficiency and school climate as calculated in this bill. It will be the basis for the matters of funding, awards and interventions.

SB 412

County Boards of Education; homestead option sales and use tax; county sales and use tax for educational purposes; delay effective date of Code section

**Sen. Fran Millar of the 40th
House Committee on Education**

Bill Summary:

Senate Bill 412 delays the effective date to January 1, 2015 for Code Section 20-2-52.1. This section relates to counties that have a homestead option and sales and use tax collection, a county sales and use tax for educational purposes, and a

county with a Board of Education with more than seven members who are elected from single member districts of approximately equal population.

SB 413

Probate Court of Glascock County; provide elections; office of judge

**Sen. Bill Jackson of the 24th
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to provide for the nonpartisan election of the Probate Judge of Glascock County

SB 414

Music Therapists; require licensure by the Secretary of State; establishment of Music Therapy Advisory Group

Sen. Renee Unterman of the 45th
House Committee on Regulated Industries

Bill Summary:

SB 414 amends Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, to establish the Music Therapy Advisory Group within the office of the Secretary of State and create licensing requirements for music therapists.

Music therapy is defined as the clinical and evidence-based use of music interventions to accomplish individual goals within a therapeutic relationship through an individual music therapy treatment plan for the client that identifies the goals, objectives, and potential strategies of the music therapy services appropriate for the client. Music therapy interventions may include: music improvisation, receptive music listening, song writing, lyric discussion, music and imagery, music performance, learning through music, and movement to music. Music therapy may include:

- Accepting referrals for music therapy services. Before and while providing services, a music therapist shall collaborate with the client's physician, psychologist, or mental health professional to review the client's diagnosis and treatment needs; --
- Conducting a music therapy assessment of a client to determine the appropriate type of services to provide;
- Developing an individualized music therapy treatment plan for a client;
- Carrying out an individualized music therapy treatment plan for a client;
- Evaluating the client's response to music therapy;
- Developing a plan for determining when music therapy services are no longer needed in collaboration with the client or physician, health care provider, appropriate family member, or other appropriate person;
- Minimizing any barriers so that the client may receive music therapy services in the least restrictive environment; and
- Collaborating with and educating the client and the family about the needs of the client that are being addressed in music therapy.

The Music Therapy Advisory Group is created within the office of the Secretary of State. The Secretary of State shall appoint the five members of the advisory group. Three members shall be practicing music therapists, one member shall be a licensed healthcare provider who is not a music therapist, and one member shall be a consumer. The advisory group shall meet at least once per year or as called by the Secretary of State. Duties of the advisory board include:

- Facilitating the development of materials to be used to educate the public concerning music therapist and music therapy;
- Acting as a facilitator of state-wide dissemination of information between music therapists and the American Music Therapy Association or any successor organization, the Certification Board for Music Therapists or any successor organization, and the secretary;
- Providing analysis of disciplinary actions, appeals and denials, or revocation of licenses at least once per year; and
- Consulting with the Secretary of State prior to the Secretary setting or changing fees.

Applicants for a music therapy license shall submit a completed application accompanied by applicable fees and provide evidence of meeting the following requirements:

- Being at least 18 years old;
- Holding a bachelor's degree or higher in music therapy, or its equivalent, from an approved program;
- Completing a minimum of 1,200 hours of clinical training, including at least 180 hours in pre-internship experiences and at least 900 hours in an approved internship;
- Having passed the examination for board certification and being a current board certified music therapist as recognized by Certification Board for Music Therapists; and
- Having satisfactorily passed a fingerprint record check report and a criminal background check.

The examination requirement shall be waived until January 1, 2014 for an applicant who is certified as a music therapist by the Certification Board for Music Therapists or designated as a music therapist with the National Music Therapy Registry.

Licenses shall be renewed biennially. In order for a license to be renewed, applicants are required to maintain their Certification Board for Music Therapists credentials and complete a minimum of 40 hours of continuing education in an approved program. Failure to renew a license shall result in forfeiture of the license. Active licenses may be placed on inactive status for up to two years.

The Secretary of State may revoke, suspend, deny, or refuse to issue or renew a license; place a licensee on probation; or issue a letter of admonition upon proof that the licensee has:

- Procured or attempted to procure a license by fraud, deceit, or misrepresentation;
- Been convicted of a felony under state law;
- Willfully or negligently acted in a manner inconsistent with the health or safety of persons under their care;

Had a license to practice music therapy suspended or revoked or has been subject to disciplinary actions regarding their practice of music therapy;
Committed a fraudulent insurance act;
Excessively or habitually uses alcohol or drugs and is not enrolled in an approved substance abuse program; or
A physical or mental disability that renders the individual incapable of safely administering music therapy.
The Secretary of State is authorized to investigate allegations of misconduct and shall fine a person found in violation not less than \$100 or more than \$1,000 for each violation.

After January 1, 2014, no person without a music therapist license shall use the title 'music therapist' or similar title, or perform the duties of a music therapist. Nothing in this Code section shall be construed as preventing or restricting the practice, services, or activities of any profession that may also use music therapy in the scope of their practice.

SB 416

Insurance Dept; authorize to develop exchange standards regarding electronic prior authorization drug requests with health care providers

**Sen. Earl "Buddy" Carter of the 1st
House Committee on Insurance**

Bill Summary:

Senate Bill 416 authorizes the Department of Insurance to develop exchange standards regarding electronic prior authorization drug requests with health care providers. It states that facsimiles are not electronic submissions and allows for adoption of the National Council of Prescription Drug Programs standards. It provides clinical workflow decision support of physician providers.

SB 427

Administrative Procedure; require agency procedures for timely processing; applications for issuance/renewal of licenses

**Sen. Ross Tolleson of the 20th
House Committee on Natural Resources & Environment**

Bill Summary:

Senate Bill 427 amends Code Section 12-2-2 of the O.C.G.A. by requiring the Environmental Protection Division (EPD) director to develop and implement procedures for timely processing of applications made to EPD for issuance or renewal of permits or variances. These procedures shall also provide the applicant with status-tracking abilities with real-time updates via EPD's website.

SB 428

Administrative Procedure; provide for agency reports regarding federal government mandates and duplicate state/federal regulation

**Sen. Ross Tolleson of the 20th
House Committee on Governmental Affairs**

Bill Summary:

Senate Bill 428 requires all state agencies to prepare an annual report that specifies, with detail, all federal rules and regulations implemented that year.

SB 430

State Senate Districts; revise certain boundaries

**Sen. Charlie Bethel of the 54th
House Committee on Legislative & Congressional Reapportionment**

Bill Summary:

This legislation amends Senate districts that were adopted in the 2011 Special Session.

SB 431

Forgery and Fraudulent Practices; add medical identity fraud to the provisions relating to identity fraud; definitions

**Sen. Judson Hill of the 32nd
House Committee on Judiciary Non-Civil**

Bill Summary:

Senate Bill 431 contains language to fix a gaming issue with the "fee bill" from 2010, HB 1055.

In Section 2, SB 431 clarifies the definition of "lottery" as well as the exceptions for what is not a lottery to include promotions offered by corporations such as Coke and games offered by the Georgia Lottery Corporation.

Section 3 clarifies Class A and Class B machines that are used for gaming purposes.

Section 4 amends state regulatory provisions regarding bona fide coin operated amusement machines. It clarifies what local governments may enact and enforce in ordinances.

SB 432

Crimes and Offenses; define a certain term; political subdivision shall not enact any ordinance more restrictive of sale/possession of knife than general law

**Sen. Bill Heath of the 31st
House Committee on Public Safety & Homeland Security**

Bill Summary:

This legislation prohibits any county, municipality, or consolidated government from constraining the possession, manufacture, sale, or transfer of a knife more restrictively than is otherwise provided in Georgia Code. The restriction does not apply to the local government's regulation of knives in courthouses or government buildings.

SB 433

Dalton-Whitfield County Charter and Consolidation Commission; referendum results; change certain provisions

**Sen. Charlie Bethel of the 54th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change certain provisions relating to referendum results of the Dalton-Whitfield County Charter and Consolidation Commission.

SB 435

Board of Education of Webster County; change the description of the education districts

**Sen. George Hooks of the 14th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Webster County Board of Education.

SB 436

Magistrate Court of Webster County; provide the terms of office of magistrates other than the chief magistrate

**Sen. George Hooks of the 14th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide terms of office, nomination, and appointment of magistrates other than the chief magistrate of the Magistrate Court of Webster County.

SB 441

Obstruction of Public Administration; establish the offense of unlawful pointing of a laser device at a law enforcement officer; penalties

**Sen. John Crosby of the 13th
House Committee on Judiciary Non-Civil**

Bill Summary:

Senate Bill 441 prohibits anyone from knowingly and intentionally aiming or pointing a laser device at an aircraft or toward a law enforcement officer without consent.

SB 446

Fire Protection and Safety; buildings; transfer certain functions; Dept. of Labor and Commissioner of Labor to the Office of Safety Fire Commissioner and Safety Fire Commissioner

**Sen. Jeff Mullis of the 53rd
House Committee on Governmental Affairs**

Bill Summary:

Senate Bill 446 transfers oversight and inspection functions relating to elevators, dumbwaiters, escalators, man-lifts, moving walks, boilers and pressure vessels, amusement rides, carnival rides, and scaffolding and staging from the Department of Labor and Commissioner of Labor to the Office of Safety Fire Commissioner and Safety Fire Commissioner. It removes bond requirements for Chief Boiler, Pressure Vessel Inspector and deputy inspectors employed by the state.

SB 462

Board of Elections and Registration of Rockdale County; revise procedures; appointment of the at-large member

**Sen. Rick Jeffares of the 17th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide procedures relating to the appointment of the at-large member of the Rockdale County Board of Elections and Registration.

SB 464

Fish and Fishing; limit the number of commercial crabbing licenses issued

**Sen. William Ligon, Jr. of the 3rd
House Committee on Game, Fish, & Parks**

Bill Summary:

Section 1 states that a one-day license for salt-water shore fishing costs \$5.00.

It is further revised to state that only a person in possession of a valid commercial crabbing license may operate a commercial fishing boat for the purpose of commercial crabbing activities as provided for in the Code. On and after May 1, 2013, the total number of new commercial crabbing licenses issued shall not exceed 100. Those issued prior to this specified date will remain active until the license is not renewed. Any license not renewed by May 1 of any license year shall revert to the department for reissue by lottery devised and operated by the department.

Subsection (e)(3) is revised to state that commercial crabbing licenses may be sold for consideration to any person not holding a current commercial crabbing license unless otherwise prohibited by law or regulation. The transferee of a license so transferred shall engage in commercial crabbing as evidenced by his or her commercial crab harvest records within two years after such transfer or the license shall revert to the department of reissue as provided in paragraph (2) of this subsection. Anyone receiving a commercial crabbing license transfer shall register the transfer with the department and pay the license fee to the department, if required, within 30 days following the date of the transfer.

Section 2 revises Subsection (d)(2) of Code Section 27-4-151 to specify the penalties for any person convicted of violating the provisions of the subsection. The penalties in order of offense are three or six month license suspensions or a license may be permanently revoked and the person shall be prohibited from purchasing a license in the future.

Subsection (g)(3) is revised to specify that, upon a second of subsequent such offense, the person's license shall be revoked for one year, and at the end of that time the person must apply for a new license as if he or she had never before possessed a license; the individual shall not be eligible to receive a license through a transfer.

SB 470
(VETOED)
Patient Self-Referral; revise the definition of "rural area"

Sen. Greg Goggans of the 7th
House Committee on Health & Human Services

Bill Summary:

This bill expands the definition of a "rural area" to include any county with a military junior college to be exempted from Georgia's Patient Self-Referral law, which prohibits providers from referring patients to facilities for services where the provider has an investment interest. Under these parameters, the bill only affects Baldwin County.

SB 473
License Plates; veterans awarded Purple Hearts; include persons still serving in the armed services

Sen. Ed Harbison of the 15th
House Committee on Motor Vehicles

Bill Summary:

Senate Bill 473 amends provisions relating to the issuance of license plates to veterans awarded Purple Hearts to include persons still serving in the armed services.

SB 477
Baker County; board of elections and registration; reconstitute and change the composition

Sen. Freddie Sims of the 12th
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to amend the Act which created the Baker County Board of Elections and Registration to change the composition of the board and the selection and appointment of its members.

SB 480
Chatham County; change the description of the commissioner districts; definitions and inclusions

Sen. Lester Jackson of the 2nd
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Chatham County Board of Commissioners.

SB 481
Savannah, City of; Chatham County; change the description of the education districts

Sen. Lester Jackson of the 2nd
House Committee on Intragovernmental Coordination - Local

Bill Summary:

A Bill to reapportion the Savannah-Chatham County Board of Education.

SB 483

Public Service Commission; chairperson; change the term/manner of election

**Sen. Jeff Mullis of the 53rd
House Committee on Governmental Affairs**

Bill Summary:

Senate Bill 483 specifies the term of the Public Service Commission (PSC) chairperson and how they are selected. The chair will be chosen by a majority of the membership. The term of office will be for two years; however, any three members may call for a chairperson election at anytime, but no more than twice per calendar year. There is a two term limit.

This Act shall become effective on December 31, 2012. It will not affect the current PSC Chairman.

SB 489

Georgia Trauma Care Network Commission; report annually; House/Senate Committees on Health and Human Services; outcomes

**Sen. Jeff Mullis of the 53rd
House Committee on Health & Human Services**

Bill Summary:

Senate Bill 489 requires the Georgia Trauma Care Network Commission to report to the Health and Human Services committees of the Georgia General Assembly on the state-wide trauma system development and impact of fund distribution on trauma patient care and outcomes.

SB 492

State Purchasing; require state contracts awards for heavy equipment follow certain specific procedures

**Sen. Jeff Mullis of the 53rd
House Committee on Judiciary**

Bill Summary:

Senate Bill 492 requires that public works contract awards for heavy equipment follow certain specific procedures.

A provision in this legislation outlaws any local or state governmental entity from setting aside public works projects for unions only. It restates the state policy regarding use of the lowest qualified bidder whether union or open shop.

SB 494

Commission of Athens-Clarke County; change the composition and description of the districts

**Sen. Bill Cowser of the 46th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Athens-Clarke County Board of Commissioners.

SB 495

Woodstock, City of; change the corporate limits of the city

**Sen. Chip Rogers of the 21st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the corporate limits of the City of Woodstock.

SB 514

Cherokee County; homestead exemption; ad valorem taxes for county purposes

**Sen. Chip Rogers of the 21st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a homestead exemption from Cherokee County ad valorem taxes for county purposes of up to 100 percent as determined from the proceeds generated from the collection of a retail homestead option sales and use tax for residents of Cherokee County.

SB 515

Americus, City of; provide for a date of expiration of office for terms of councilmembers and the mayor

**Sen. George Hooks of the 14th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide an expiration date for terms of councilmembers and the mayor, to provide for the taking of office of councilmembers and the mayor, to provide for meetings for council business, to provide the oath of office, to provide for a quorum and to provide for presiding officers at meetings in the City of Americus.

SB 518

DeKalb County; change the description of commissioner districts

**Sen. Emanuel Jones of the 10th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the DeKalb County Board of Commissioners.

SB 519

Board of Education of Toombs County; change the description of the education districts

**Sen. Tommie Williams of the 19th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Toombs County Board of Education.

SB 520

Troup County; create board of elections and registration; powers and duties

**Sen. Joshua McKoon of the 29th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to create the Troup County Board of Elections and Registration and to provide for its powers and duties.

SB 523

Recorder's Court of Gwinnett County; provide for the appointment of the judges of such court

**Sen. Don Balfour of the 9th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for the appointment of judges of the Gwinnett County Recorder's Court.

SB 525

Commissioner of Roads/Revenues; Walker County; modernize, update; elections, runoffs, expenses, county attorney; revise provisions

**Sen. Jeff Mullis of the 53rd
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to modernize, update, and revise the Act which created the Walker County Commission.

SB 527

Turner County; board of education; change the description of the education districts

**Sen. John Crosby of the 13th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Turner County Board of Education.

SB 528

Turner County; board of commissioners; change the description of the commissioner districts

**Sen. John Crosby of the 13th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to reapportion the Turner County Board of Commissioners.

SB 529

Cherokee County Development Authority; provide for expanded powers and duties

**Sen. Chip Rogers of the 21st
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for the powers and duties of the Cherokee County Development Authority.

SB 530

Mansfield, City of; provide a new charter

**Sen. Rick Jeffares of the 17th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a new charter for the City of Mansfield.

SB 532

Doraville, City of; change the corporate limits

**Sen. Fran Millar of the 40th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to change the corporate limits of the City of Doraville.

SB 533

Floyd County; provide for nonpartisan elections

**Sen. Barry Loudermilk of the 52nd
House Committee on Intragovernmental Coordination**

Bill Summary:

A Bill to provide for the nonpartisan election of the probate court judge and the chief magistrate in Floyd County.

SB 534

McDonough, City of; provide for incorporation, boundaries, and powers of the city

**Sen. Rick Jeffares of the 17th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide for the incorporation, boundaries, and powers of the City of McDonough, to provide for a governing authority, its powers, duties, authority, elections, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office.

SB 537

McDonough, City of; amend powers of mayor; provide for a city administrator

**Sen. Rick Jeffares of the 17th
House Committee on Intragovernmental Coordination - Local**

Bill Summary:

A Bill to provide a referendum in the City of McDonough to create the position of city manager.

SR 84

General Assembly; authorize state entities to enter into multiyear rental agreements; procedures, conditions, and limitations-CA

**Sen. Earl "Buddy" Carter of the 1st
House Committee on State Institutions & Property**

Bill Summary:

Senate Resolution 84 provides for a Constitutional amendment to allow the State Properties Commission and the Board of Regents to enter into multi-year rental agreements. Agreements are limited to 10 fiscal years for rentals and 20 fiscal years for sales or leasebacks. Any portion of the fiscal year constitutes a full fiscal year under this amendment, and the insufficient availability of funds is grounds for terminating an agreement.

SR 765

Property Conveyance; grant nonexclusive easement to Bryan, Butts, and Liberty counties

**Sen. Earl "Buddy" Carter of the 1st
House Committee on State Institutions & Property**

Bill Summary:

Senate Resolution 765 is a conveyance bill that transfers the ownership of properties in Butts, Bryan and Liberty counties from the state to other entities, as follows:

Part I addresses 17.22 acres in Bryan County, located at the Richmond Hill Wildlife Management Area. The heritage preservation dedication will be removed and the Georgia Transmission Corporation and the Coastal Electric Membership Corporation, acting jointly, and the Department of Transportation will be granted an easement for the purpose of constructing, operating, and maintaining electrical power lines on the property. The Department of Natural Resources will retain custody over the area.

Part II conveys .41 acres in Butt County, located at High Falls State Park, shall have the heritage preservation dedication removed so an easement can be granted to the Department of Transportation, to widen State Route 36 over the Towaliga River. The Department of Natural Resources will retain custody of the property.

Part III addresses property in Bryan and Liberty Counties. The piece of property consists of 17.69 acres in Bryan County and 14.53 acres in Liberty County, including the Richmond Hill area referenced in Section I of the bill. The state is granting a joint easement to the Georgia Transmission Corporation (GTA) and the Coastal Electric Membership Corporation (CEMC) for the construction, operation and maintenance of electrical power lines on this property. Abandonment by the Georgia Transmission Association and the Coastal Electric Membership Corporation will cause a reversion of the property to the State of Georgia. If the facilities are left on the property after abandonment, they too will become property of the State of Georgia. If the state should decide that the facilities on the easement area should be removed or relocated, the state may grant a substantially equivalent nonexclusive easement for the relocation of the facilities, and the GTA and CEMC will relocate at their own expense, unless the State Properties Commission determines that the relocation is for the sole benefit of the state and authorizes payment to GTA and CEMC for it, not to exceed 20 percent of the amount of a written estimate. The resolution does not affect the DOT with regards to the state highway system, the county for a county road system, or any municipality for a city street system. The grantee must still obtain permission from the appropriate governmental entities for use of the easement area over a public right-of-way and comply with all state and federal environmental regulations. This easement is granted for the consideration of \$650.

Part IV addresses property in Butts County that is currently under the custody of the Department of Natural Resources, consisting of .13 acres and including the High Falls area referenced in Part II of the resolution. An easement will be granted to the DOT for the construction of a traffic safety improvement. The terms and conditions regarding abandonment, relocation, and title are the same as those in Section 3. The consideration for the transfer of this property is \$10.

SR 843

Bert Ward Memorial Bridge; Catoosa County; dedicate

**Sen. Jeff Mullis of the 53rd
House Committee on Transportation**

Bill Summary:

This is the annual Senate resolution package of various road facility dedications.

Part I SR 843, Sen. Jeff Mullis

This resolution dedicates the bridge on Catoosa Parkway over Tiger Creek in Catoosa County as the Bert Ward Memorial Bridge.

Part II SR 667, Sen. Ramsey

This resolution dedicates the entire length of Snapfinger Road in DeKalb County from its intersection with Wesley Chapel Road to the Henry County line as the Martin Luther King Jr., Parkway.

Part III SR 386, Sen. Jeff Mullis

This resolution dedicates the portion of US 27/SR 1 from the city limits of Fort Oglethorpe south to Sheilds Crossing as the Roy Parrish Parkway.

Part IV SR 1060, Sen. Chip Rogers

This resolution dedicates the portion of State Route 92 in Cherokee County from Neese Road to Trickum Road as the Johnny Hunt Highway.

Part V SR 1071, Sen. Jeff Mullis

This resolution dedicates Interstate 59 in Dade County from the Alabama state line to the interchange with I-24 as the Korean War Veterans Memorial Highway.

Part VI SR 1072, Sen. Jeff Mullis

This resolution dedicates the portion of Highway 11 in Dade County from the Alabama state line to the Tennessee state line as the Lance Corporal William Taylor Richards Memorial Highway.

Part VII SR 1083, Sen. Chip Rogers

This resolution dedicates the interchange at Interstate 575 and Ridgewalk Parkway in the City of Woodstock as the William G. Long Interchange.

Part VIII SR 1084, Sen. Jesse Stone
This resolution dedicates the portion of US Highway 25N from Waynesboro to Walnut Branch as the Preston B. Lewis, Jr., Memorial Highway.

Part IX HR 1103, Rep. Barbara Sims
This resolution dedicates the portion of Interstate Route 520 in Richmond County from Exit 2 (Wrightsboro Road) to Exit 3 (Gordon Highway) as the Deputy James D. Paugh Memorial Highway.

Part X HR 1612, Rep. Chuck Sims
This resolution dedicates US 441 in Coffee County from the Douglas city limits to the Atkinson County line as the John S. Gibson Memorial Highway.

Part XI HR 1642, Rep. Tommy Benton
A resolution dedicating State Route 98 from Commerce to Ila as the "Highway 98" by Ricky Fitzpatrick Highway.

Part XII HR 1643, Rep. Wayne Howard
A resolution dedicating the portion of State Route 4 in Richmond County from Martin Luther King, Jr. Drive Boulevard to Laney Walker Boulevard as the Ruth B. Crawford Highway.

Part XIII HR 1674, Rep. Quincy Murphy
A resolution dedicating the interchange of U.S. Route 78/State Route 10 with Interstate Route 520 in Augusta-Richmond County as the Deputy James D. Paugh Memorial Interchange.

Part XIV HR 1730, Rep. Mickey Channell
A resolution dedicating the bridge on SR 12/US 278 over Richland Creek in Greene County as the John B. Box Memorial Bridge.

Part XV HR 1733, Rep. Kevin Cooke
A resolution dedicating United States Highway 27 in Haralson County from the Polk County line to the Carroll County line as the Harold Shedd Highway.

Part XVI HR 1734, Rep. Tom Dickson
This resolution does the following: dedicates the portion of SR 2/US 411 in Murray County between the Eton city line and Cohutta Springs Road as the Charles N. "Judy" Poag Memorial Highway; authorizes and directs the Department of Transportation to erect and maintain appropriate signs dedicating the Charles N. "Judy" Poag Memorial Highway; and repeals Part XVI and the sixteenth undesignated paragraph of Part XIX of Senate Resolution 1075 (Ga. L. 2010, p. 362).

Part XVII HR 1808, Rep. Matt Hatchett
A resolution dedicating the portion of U.S. Route 441/State Route 117 in Laurens County from State Route 19 to U.S. Route 80 as the Kelso Horne Memorial Highway.

Part XVIII HR 1825, Rep. Ann Purcell
This resolution does the following: dedicates the bridge on SR 25 over the Norfolk Southern railroad tracks in the city limits of Port Wentworth in Chatham County as the Hugh Carroll Butler Memorial Bridge; and repeals Part V and the fifth undesignated paragraph of Part XXVIII of House Resolution 507 (Ga. L. 2011, p. 900).

Part XIX HR 1826, Rep. Richard Smith
A resolution dedicating the interchange at Interstate 85 and J.R. Allen Parkway in Muscogee County as the Jim Wetherington Interchange.

Part XX HR 1827, Rep. Paulette Braddock
A resolution dedicating Highway 92N in Paulding County from its intersection with U.S. 278 to GA 120 as the Mrs. Glenda and Dr. John Covington Highway.

Part XXI HR 1849, Jason Shaw
A resolution dedicating the bridge over the Alapaha River on U.S. Highway 82 East in Berrien County as the Sergeant Major James E. Jones Memorial Bridge.

Part XXII HR 1239, Rep. Judy Manning
This resolution designates the official Gone with the Wind Trail throughout the cities of Marietta, Atlanta, and Jonesboro.

Part XXIII HR 1676, Rep. Calvin Smyre
A resolution dedicating the interchange of Interstate 185/State Route 411 with State Route 520/State Route 1 in Muscogee County as the John Flournoy Interchange.

This resolution dedicates the intersection of Highway 441 and Apple Pie Ridge Road in Banks County as the Tommie Irvin Memorial Intersection.

SR 873

Public Property; authorizing the granting of restrictive easements for facilities, utilities 14 counties

Sen. Steve Gooch of the 51st
House Committee on State Institutions & Property

Bill Summary:

Senate Resolution 873 grants nonexclusive easements for operation and maintenance of facilities on state-owned property in Bartow, Bibb, Butts, Chatham, Clinch, Douglas, Gordon, Hall, Houston, McDuffie, Newton, Tattnall and Ware counties.

Article I grants a nonexclusive easement on .301 of an acre in Bartow County to Georgia Power, for the purpose of installing, maintaining and operating a power line and associated equipment. The property is currently in the custody of the Georgia Forestry Commission and is located on Hwy. 140 in Rydal, Georgia. The consideration for this easement is \$10.

Article II grants a nonexclusive easement to the Central Georgia Joint Development Authority, for the purpose of a restrictive easement to eliminate incompatible land use around Robins Air Force base, in Bibb and Houston counties. The property is currently under the custody of the Department of Natural Resources and is located adjacent to the Base at Echeconnee Creek Natural Area. It includes 159.576 acres in Bibb County and 367.924 acres in Houston County. The consideration for this easement is future conveyance of additional properties to the state by the Central Georgia Joint Development Authority to be used as buffer for the Base.

Article III grants a nonexclusive easement on .13 of an acre in Butts County, currently under custody of the Department of Natural Resources, to the Department of Transportation for the purpose of widening SR 36 at the Towaliga River. The consideration for such easement is \$10.

Article IV grants an easement to Georgia Power for 2.9 acres in Chatham County, located at Skidaway Island State Park, for the purpose of replacing and upgrading an old utility line. The consideration for the easement will be for fair market value not less than \$10.

Article V grants a nonexclusive easement on .10 of an acre and .027 of an acre currently in the custody of the Georgia Bureau of Investigation (GBI) to Georgia Power, for the purpose of the installation, operation and maintenance of an electrical power line. This area is located at the Coastal Regional Crime Lab, Savannah Regional Drug Office, and the Bomb Truck Garage in Savannah (Chatham County). The consideration for this easement shall be \$46,500 and Georgia Power will convey in-kind-cost-to-cure to the GBI for the removal of existing trees, the planting of new trees and sod, an irrigation system, and a two-year maintenance and guarantee, to be installed upon the completion of the transmission line.

Article VI grants a nonexclusive easement on .045 of an acre in Clinch County, currently under custody of the Georgia Forestry Commission, to the Department of Transportation for the purpose of the US-441 widening project. The consideration for this project will be \$10.

Article VII of the resolution grants a nonexclusive easement to Greystone Power Corporation for the construction, operation and maintenance of an electrical power line. The easement area is located at Sweetwater Creek State Park in Douglas County and consists of 2.74 acres, currently in the custody of the Department of Natural Resources. The consideration for this easement is fair market value not less than \$650.

Article VIII grants a nonexclusive easement to the Department of Transportation to reconstruct the Interchange Improvement at I-75 and SR 136 in Gordon County, Resaca. The property is currently in the custody of Department of Natural Resources and is comprised of .03 of an acre. The consideration for this easement is \$10.

Article IX grants a nonexclusive easement area to the Department of Transportation for the road widening at SR3/US41/SR 136 at SR 136 in Gordon County. The easement area consists of .121 of an acre, and the consideration for this easement shall be \$10.

Article X grants a nonexclusive easement to Hall County for .407 of an acre that is currently under the custody of the Department of Natural Resources, for the purpose of constructing, operating, and maintaining county roads at Don Carter State Park. The consideration for this easement is \$10.

Article XI grants a nonexclusive easement on three lots in Hall County, for the purpose of installing, constructing, and operating overhead power lines in Don Carter State Park, to Jackson EMC, for a consideration of \$10. The property is currently in the custody of the Department of Natural Resources.

Article XII grants a nonexclusive easement on .774 of an acre on the Middle Georgia Technical College property in Houston County, currently in the custody of the Technical College System of Georgia, to Flint EMC. The easement is for the installation, operation and maintenance of an electrical power line and the consideration for such easement is \$10.

Article XIII grants a nonexclusive easement on .101 of an acre on the Thompson campus of Augusta Technical College in McDuffie County, currently in the custody of the Technical College System of Georgia, to Georgia Power. The easement is for the installation, operation and maintenance of an underground electrical power line and the consideration for such easement is \$10.

Article XIV grants a nonexclusive easement to the Department of Transportation for the reconstruction of SR 142 in Newton County. The .0107 of an acre is currently in the custody of the Technical College System of Georgia and the consideration for the easement will be \$10.

Article XV grants a nonexclusive easement to Georgia Power to develop an early warning system associated with Plant Hatch, in compliance with Federal Nuclear Energy Regulatory Commission regulations. The .0574 of an acre easement area is located on the Department of Corrections' Georgia State Prison property in Reidsville, Tattnall County. The consideration for such easement will be fair market value, not less than \$650.

Article XVI grants a nonexclusive easement at an address on Okefenokee Swamp Road, Waycross, Ware County, to John S. Braddy for the purpose of putting in a permanent access easement. The property, .207 of an acre, is currently under the custody of the Georgia Forestry Commission, and the consideration for such easement is \$10. It will remain in effect until John S. Braddy either transfers title of the easement area or is deceased.

Article XVII grants a nonexclusive easement to L&S Mullis Farms, Inc. in Ware County, Georgia, for the purpose of a permanent access easement and installation of a power line/pole at Dixon Memorial State Forest. The .944 of an acre is currently under the custody of the Georgia Forestry Commission and the consideration for the easement will be \$650.