



Georgia

HOUSE OF REPRESENTATIVES

Wednesday  
February 27,  
2019

# DAILY REPORT

23rd  
Legislative  
Day

House Budget & Research Office  
(404) 656-5050

- The House will reconvene for its 24th Legislative Day on Thursday, February 28 at 10:00 a.m.
- The Rules Committee will meet at 9:00 a.m.
- Eight bills / resolutions are expected to be debated on the floor.

## Today on the Floor

### Rules Calendar

#### **HB 33 Weapons carry license; extension of time for the renewal of a license for certain service members serving on active duty outside of the state; provide**

Bill Summary: House Bill 33 allows a grace period of up to six months for the renewal of a weapons carry license for any service member whose license expires while they are on active duty. Once home, the service member may carry within the limits of the permit until they renew their license as long as they have with them their military orders or a written verification signed by the commanding officer. Any application submitted within six months of discharge from active duty or reassignment to this state will be considered for a renewal license.

<b>Authored By:</b>	Rep. Eddie Lumsden (12th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Public Safety & Homeland Security	<b>Committee Action:</b>	02-25-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 148 Nays: 20	<b>Amendments:</b>	

#### **HB 171 Motor vehicles; use of mounts on windshields for the support of wireless telecommunications devices and stand-alone electronic devices under certain circumstances; allow**

Bill Summary: House Bill 171 allows for the use of a mount for the support of a wireless telecommunications device or stand-alone electronic device upon the windshield as long as the placement minimizes obstruction of the driver's view. This provision is applicable except as prohibited by federal law, rules, or regulation in the operation of a commercial motor vehicle.

<b>Authored By:</b>	Rep. Timothy Barr (103rd)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Public Safety & Homeland Security	<b>Committee Action:</b>	02-25-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 166 Nays: 0	<b>Amendments:</b>	

#### **HB 187 Community Health, Department of; pilot program to provide coverage for the treatment and management of obesity and related conditions; provide**

Bill Summary: House Bill 187 establishes a three-year pilot program, through the Department of Community Health (DCH), to provide coverage for the treatment and management of obesity and related conditions for 250 people per year, including medication and counseling.

Eligible participants include people who elected coverage under a state health insurance plan and who meet other criteria established by the department. DCH will partner with a post-secondary institution in Georgia for pilot program management, data collection, patient engagement, and other activities related to the pilot program, including coverage of all U.S. Food and Drug Administration (FDA) approved medications for chronic weight management.

DCH shall review the results and outcomes of the study starting six months after its initiation and continue to conduct subsequent reviews every six months thereafter. DCH shall provide a final report to the chairpersons of the House and Senate Health and Human Services committees and the House and Senate Appropriations committees by December 15th of the last year of the pilot program.

**Authored By:** Rep. Katie Dempsey (13th)  
**House Committee:** Health & Human Services

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-12-2019 Do Pass

**Floor Vote:** Yeas: 148 Nays: 14

**Amendments:**

## **HB 213 Georgia Hemp Farming Act; enact**

Bill Summary: HB 213 allows for the cultivation and processing of hemp and hemp products in Georgia. The bill further provides for colleges and universities in the University System of Georgia to conduct research on hemp, including the development of new hemp varieties, seed development, and consumer uses.

House Bill 213 requires hemp growers to apply annually for a license and pay a license fee of \$1,000. Any grower must be a qualified agriculture producer and provide the Department of Agriculture with the following upon application for a license: a legal description and global positioning coordinates to locate fields and greenhouses used for cultivation of hemp; a written agreement with a permitted producer with which the grower intends to enter into a partnership; written consent allowing the Georgia Bureau of Investigation and other affected law enforcement to enter premises where hemp is being cultivated, harvested, or handled to conduct inspections; and a criminal background check. No person may hold more than one hemp growers license nor be issued a license if convicted of a felony.

The state may only issue up to 12 permits to produce hemp, after which the Department of Agriculture may award additional permits based on the financial standing and hemp processing experience of applicants. Hemp producers must pay an initial fee of \$100,000 for a permit and \$25,000 for the annual renewal of the permit. A producer must provide the following to the Department of Agriculture to receive a permit: a legal description and global positioning coordinates to locate facilities for processing hemp; a written agreement with a licensed grower with which the producer intends to enter into a partnership; written consent allowing the Georgia Bureau of Investigation, and other affect law enforcement, to enter premises where hemp is being processed; a surety bond in the amount of \$100,000 issued by a surety company authorized to do business in the state; and a criminal background check. Every permittee shall at all times have written agreements with at least five growers. A permitted producer may also apply for and be issued no more than one growers license.

The Department of Agriculture, using its own personnel or qualified independent contractors, has the right to test hemp at the fields and greenhouses of growers, as well as at the processing facilities of producers. If a test sample taken from a grower's facility reveals a delta-9-THC concentration greater than 0.33 percent, then the grower's crop must be destroyed under the supervision of law enforcement. If the sample from the grower reveals a delta-9-THC concentration between .30 percent and .33 percent, the sample shall be retested; if the retested sample is found to be above .30 percent, the crop shall be destroyed under the supervision of law enforcement. If a sample test taken from a processing facility reveals a delta-9-THC concentration above .30 percent, all hemp products at the facility shall be destroyed.

HB 213 states that the following violations shall not result in a criminal or civil action, but require a corrective action plan to be submitted to the Department of Agriculture: failing to provide a legal description of the land; failing to obtain a license; producing a crop with more than the federally-defined THC level for hemp; or otherwise negligently violating rules and regulations. Any licensee that violates a corrective action plan three times in a five-year period shall have their license permanently revoked. If the commissioner of the Department of Agriculture determines that a licensee has violated state law with a culpable mental state greater than negligence, the commissioner shall report the licensee to the United States Attorney General and the state Attorney General.

Within 60 days of the effective date of the chapter, the commissioner of the Department of Agriculture, in consultation with the governor and state Attorney General, shall submit to the

secretary of agriculture of the United States a plan to regulate hemp production. The plan shall include a system to maintain information regarding land on which hemp is produced, a procedure to test delta-9-THC concentration levels in hemp, and a procedure to enforce rules and regulations.

**Authored By:** Rep. John Corbett (174th)  
**House Committee:** Agriculture & Consumer Affairs  
**Floor Vote:** Yeas: 163 Nays: 3  
**Rule Applied:** Modified-Structured  
**Committee Action:** 02-20-2019 Do Pass by Committee Substitute  
**Amendments:**

**HB 310 Insurance, Department of; must submit an autism coverage report to General Assembly; move annual due date to June 15**

Bill Summary: House Bill 310 moves the due date of the Department of Insurance's autism coverage report to the General Assembly from January 15 to June 15.

**Authored By:** Rep. Greg Morris (156th)  
**House Committee:** Insurance  
**Floor Vote:** Yeas: 167 Nays: 0  
**Rule Applied:** Modified-Structured  
**Committee Action:** 02-20-2019 Do Pass  
**Amendments:**

**HB 319 Georgia Firefighters' Pension Fund; member's benefits payable after death shall be paid to his or her estate when such member failed to designate a beneficiary or his or her designated beneficiaries are deceased; provide**

Bill Summary: HB 319 allows members of the Georgia Firefighters' Pension Fund to have their death benefits paid to his or her estate in the event the member failed to designate a beneficiary or if all named beneficiaries have predeceased the member. The Department of Audits and Accounts has certified HB 319 as a non-fiscal retirement bill.

**Authored By:** Rep. Noel Williams (148th)  
**House Committee:** Retirement  
**Floor Vote:** Yeas: 168 Nays: 0  
**Rule Applied:** Modified-Open  
**Committee Action:** 02-19-2019 Do Pass  
**Amendments:**

**HB 322 Local government; advertisement of certain bid or proposal opportunities; change provisions**

Bill Summary: House Bill 322 provides that if a bid or proposal opportunity is extended by a county, municipal corporation, or local board of education valued at \$100,000 or more, the bid must be advertised in the same way and for the same period of time that the local government entity would normally advertise a bid or proposal. A governmental entity must publicly advertise a contract opportunity on the Georgia Procurement Registry for at least four weeks.

**Authored By:** Rep. Tom McCall (33rd)  
**House Committee:** Governmental Affairs  
**Floor Vote:** Yeas: 166 Nays: 0  
**Rule Applied:** Modified-Structured  
**Committee Action:** 02-21-2019 Do Pass  
**Amendments:**

**HB 341 Crimes and offenses; reproduction of recorded material; update terminology**

Bill Summary: HB 341 adds memory cards, flash drives, hard drives, and data storage devices to the list of media protected by copyright restrictions.

**Authored By:** Rep. Matt Dollar (45th)  
**House Committee:** Judiciary Non-Civil  
**Floor Vote:** Yeas: 162 Nays: 3  
**Rule Applied:** Modified-Structured  
**Committee Action:** 02-22-2019 Do Pass  
**Amendments:**

**HR 214 House Rural Development Council; reauthorize**

Bill Summary: HR 214 reauthorizes the House Rural Development Council (RDC) for two more years. The RDC shall be composed of 15 members of the House of Representatives appointed by the speaker of the House, with two members to be designated as co-chairpersons. The RDC shall be authorized to begin meeting in different rural locations within the state beginning on April 1, 2019.

The co-chairpersons shall file two reports of findings and recommendations, one no later than December 31, 2019 and the second prior to December 31, 2020. The RDC shall be abolished on December 31, 2020.

**Authored By:** Rep. Sam Watson (172nd)      **Rule Applied:** Modified-Structured  
**House Committee:** Economic Development & Tourism      **Committee Action:** 02-21-2019 Do Pass  
**Floor Vote:** Yeas: 164 Nays: 1      **Amendments:**  
**Floor Action:** Adopted (Resolution)

**HR 239 Savannah Logistics Technology Innovation Corridor; designate**

Bill Summary: HR 239 designates the Savannah Logistics Technology Innovation Corridor as an official technology innovation corridor in the state of Georgia.

**Authored By:** Rep. Ron Stephens (164th)      **Rule Applied:** Modified-Structured  
**House Committee:** Special Rules      **Committee Action:** 02-25-2019 Do Pass  
**Floor Vote:** Yeas: 161 Nays: 1      **Amendments:**  
**Floor Action:** Adopted (Resolution)

**Local Calendar**

**HB 380 Dawsonville, City of; election of members of the city council by district; provisions**

Bill Summary: This bill provides for the election of the Dawsonville City Council members by district.

**Authored By:** Rep. Kevin Tanner (9th)      **Rule Applied:**  
**House Committee:** Intragovernmental Coordination - Local      **Committee Action:** 02-26-2019 Do Pass  
**Floor Vote:** Yeas: 157 Nays: 0      **Amendments:**

**HB 423 South Fulton, City of; ad valorem tax for municipal purposes; provide new homestead exemption**

Bill Summary: This bill provides a new homestead exemption, which has the effect of a valuation freeze, from city of South Fulton ad valorem taxes.

**Authored By:** Rep. Debra Bazemore (63rd)      **Rule Applied:**  
**House Committee:** Intragovernmental Coordination - Local      **Committee Action:** 02-26-2019 Do Pass  
**Floor Vote:** Yeas: 157 Nays: 0      **Amendments:**

**HB 430 Alpharetta, City of; ad valorem tax; eliminate income restriction for homestead exemption**

Bill Summary: This bill eliminates the income restriction for the \$10,000 homestead exemption for residents in the city of Alpharetta who are 65 and older.

**Authored By:** Rep. Chuck Martin (49th)      **Rule Applied:**  
**House Committee:** Intragovernmental Coordination - Local      **Committee Action:** 02-26-2019 Do Pass  
**Floor Vote:** Yeas: 157 Nays: 0      **Amendments:**

**HB 431 Alpharetta, City of; ad valorem taxes for municipal purposes; increase homestead exemption**

Bill Summary: This bill raises a city of Alpharetta homestead exemption for all residents from \$40,000 to \$45,000 for all taxable years beginning on or after January 1, 2020.

**Authored By:** Rep. Chuck Martin (49th)      **Rule Applied:**  
**House Committee:** Intragovernmental Coordination - Local      **Committee Action:** 02-26-2019 Do Pass  
**Floor Vote:** Yeas: 157 Nays: 0      **Amendments:**

**HB 453 Douglas County; Redevelopment Powers Law; provide for a referendum**

Bill Summary: This bill authorizes Douglas County to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and O.C.G.A. 36-44.

<b>Authored By:</b>	Rep. Roger Bruce (61st)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	02-26-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 157 Nays: 0	<b>Amendments:</b>	

**SB 5 Lincoln County Recreation Authority; repeal**

Bill Summary: This bill provides for the assets and liabilities of the Lincoln County Recreation Authority.

<b>Authored By:</b>	Sen. Lee Anderson (24th)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	02-26-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 157 Nays: 0	<b>Amendments:</b>	

## **Next on the Floor from the Committee on Rules**

*The Committee on Rules has fixed the calendar for the 24th Legislative Day, Thursday, February 28, and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Thursday, February 28, at 9:00 a.m., to set the Rules Calendar for the 25th Legislative Day.*

### **HB 31 General appropriations; State Fiscal Year July 1, 2019 - June 30, 2020**

**Bill Summary:** House Bill 31, the Fiscal Year 2020 budget, is set by a revenue estimate of \$27.5 billion, an increase of \$1 billion or 3.95% over the FY 2019 original budget. K-12 Education is designated to receive 63% of the new revenue. For the total budget, all education agencies receive 54.6% of available funds, followed by 21.4% budgeted for health and human services agencies, 8 percent for public safety activities and the remaining 15 percent for economic development and general government agencies.

The bill and tracking sheet may be found on the House Budget and Research Office website:  
<http://www.house.ga.gov/budget>.

**Authored By:** Rep. David Ralston (7th)  
**House Committee:** Appropriations

**Rule Applied:** Modified-Open  
**Committee Action:** 02-27-2019 Do Pass by Committee Substitute

### **HB 64 Parent and child; require child welfare agencies to make efforts to determine whether a parent or guardian of a child who is the subject of abuse allegations is on active duty in the military**

**Bill Summary:** House Bill 64 requires that the appropriate child welfare agency make efforts as soon as possible to notify the applicable military installation's family advocacy program in the event of a child abuse or neglect allegation involving an active-duty military parent or guardian.

**Authored By:** Rep. Brian Prince (127th)  
**House Committee:** Juvenile Justice

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-14-2019 Do Pass by Committee Substitute

### **HB 68 Education; prohibit certain entities from being student scholarship organizations**

**Bill Summary:** House Bill 68 amends O.C.G.A. 20-2A-2.1 by limiting the type of entity which can be a student scholarship organization. No entity which provides accreditation of elementary or secondary schools or is affiliated with an accreditation entity is eligible to be a student scholarship organization under this Code section.

**Authored By:** Rep. John Carson (46th)  
**House Committee:** Education

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-21-2019 Do Pass

### **HB 134 County law libraries; repeal a population provision regarding the disposition of law library funds in certain counties**

**Bill Summary:** This bill repeals the chapter relating to the collection and disposition of funds collected by counties with a population of 950,000 or more according to the United States decennial census from 1980 and onward for maintenance of a county law library where no county law library fund exists.

**Authored By:** Rep. Bonnie Rich (97th)  
**House Committee:** Judiciary

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-22-2019 Do Pass

### **HB 197 Office of Planning and Budget; provide for the establishment of the Strategic Integrated Data System**

**Bill Summary:** HB 197 creates the Georgia Data Analytic Center (GDAC Project), which is to be established by the Office of Planning and Budget (OPB) by September 1, 2019. The GDAC Project will be capable of securely receiving, maintaining, and transmitting data in accordance with the 'Health Insurance Portability and Accountability Act of 1996.' OPB will have oversight of the GDAC Project. Any state agency or department that creates, receives, or maintains publicly-supported program, fiscal,

or health data must transmit or allow access to its data as is deemed necessary to the GDAC Project, as long as sharing the data does not violate state or federal law. The GDAC Project may receive funding from private grants, fees, federal or local grants, or state appropriations. Beginning July 1, 2020, and continuing each year after, the OPB must publish a report outlining the implementation and uses of the data collected by the GDAC Project.

**Authored By:** Rep. Katie Dempsey (13th)      **Rule Applied:** Modified-Structured  
**House Committee:** Budget and Fiscal Affairs Oversight      **Committee Action:** 02-20-2019 Do Pass by Committee Substitute

**HB 257 Council of Magistrate Court Judges; organization and provide for officers; increase authority**

Bill Summary: The organizational governing structure of the Council of Magistrate Court Judges is removed. Provisions related to the assumption and removal from office along with the expiration of terms for magistrates that are dated before 1985 are eliminated. The chief magistrate is still elected to a four-year term and all other magistrates are still appointed by the chief judge upon majority vote by the judges of superior court. The bond for faithful performance of duties is increased from \$25,000 to \$100,000. The qualifications for magistrates are amended. The county residency requirement preceding the beginning of their term is increased from one to two years, and magistrates must: remain a resident of the county they serve during their term of office; be a citizen of the United States; be registered to vote; and have a high school or general educational development diploma. Lastly, the provisions related to justices of the peace, which have been superseded by the magistrate Code section since 1983, have been removed.

**Authored By:** Rep. Mitchell Scoggins (14th)      **Rule Applied:** Modified-Structured  
**House Committee:** Judiciary      **Committee Action:** 02-22-2019 Do Pass

**HB 277 Insurance; allow good will from insurer acquisitions to be treated as an asset**

Bill Summary: House Bill 277 allows "good will" from insurer acquisitions to be treated as an asset. This includes "good will" up to 10 percent of the acquiring insurer's capital and surplus shown on its statutory balance sheet for the most recently filed statement with the Insurance commissioner adjusted to exclude any net positive good will, electronic data processing equipment, operating system software, and net deferred tax asset.

**Authored By:** Rep. John Carson (46th)      **Rule Applied:** Modified-Structured  
**House Committee:** Insurance      **Committee Action:** 02-20-2019 Do Pass by Committee Substitute

**HB 321 Health; hospital Medicaid financing program; extend sunset provision**

Bill Summary: HB 321 changes the sunset date on the hospital provider payment program from June 30, 2020 to June 30, 2025.

**Authored By:** Rep. Jodi Lott (122nd)      **Rule Applied:** Structured  
**House Committee:** Appropriations      **Committee Action:** 02-20-2019 Do Pass

# Committee Actions

*Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.*

## Appropriations Committee

### HB 31 General appropriations; State Fiscal Year July 1, 2019 - June 30, 2020

Bill Summary: House Bill 31, the Fiscal Year 2020 budget, is set by a revenue estimate of \$27.5 billion, an increase of \$1 billion or 3.95% over the FY 2019 original budget. K-12 Education is designated to receive 63% of the new revenue. For the total budget, all education agencies receive 55% of available funds, followed by 22% budgeted for health and human services agencies, 8 percent for public safety activities and the remaining 15 percent for economic development and general government agencies.

The bill and tracking sheet may be found on the House Budget and Research Office website:  
<http://www.house.ga.gov/budget>.

**Authored By:** Rep. David Ralston (7th)

**House Committee:** Appropriations

**Committee Action:** 02-27-2019 Do Pass by Committee Substitute

## Banks & Banking Committee

### HB 193 Banking and finance; banks and credit unions to offer savings promotion raffle accounts in which deposits to a savings account enter a depositor in a raffle; allow

Bill Summary: HB 193 allows banks and credit unions (financial institutions) to offer savings promotion raffle accounts. Under this legislation a financial institution may conduct a savings promotion raffle, which is a contest where the participant or depositor deposits a specified amount of money into a savings account or other savings program offered by the financial institution where each entry or ticket will have an equal chance of being drawn to win a specified prize. The financial institution must conduct the raffle in a manner that is safe and sound and not misleading as to chances of winning. All depositors must be provided with information on the terms of the raffle and the verifiable retail value of each prize that a depositor has a chance of receiving, including the odds of receiving a prize and information regarding any fees or penalties associated with such an account. The financial institution conducting such raffles must also maintain all records the Department of Banking and Finance determines are necessary to conduct an examination or audit of these raffles, and may contract third party service providers to handle the administrative details of these raffles.

These institutions may not charge any fees associated with the savings account or other savings program which underlies a savings promotion raffle account that are in excess of the fees charged for the most similar savings accounts or other programs offered by the institution. Additionally, the bill exempts savings promotion raffles from the definition of "lottery".

**Authored By:** Rep. Emory Dunahoo (30th)

**House Committee:** Banks & Banking

**Committee Action:** 02-27-2019 Do Pass by Committee Substitute

### HB 212 Banking and finance; retail brokers of manufactured homes or mobile homes and residential contractors from the requirement to obtain a license as a mortgage loan originator, broker, or lender under certain circumstances; exempt

Bill Summary: HB 212 amends the definition of 'mortgage broker' for the purposes of licensing mortgage lenders and brokers, to exclude any retailer or retail broker of a manufactured or mobile home or a residential industrialized building so long as: (1) their residential mortgage loan activities are limited to facilitating the exchange of documents between applicants and lenders, and (2) they do not receive compensation for assisting applicants in applying for or obtaining financing.

**Authored By:** Rep. Clay Pirkle (155th)  
**House Committee:** Banks & Banking

**Committee Action:** 02-27-2019 Do Pass by Committee Substitute

## Budget and Fiscal Affairs Oversight Committee

### HB 456 Local government; elect an annual report in lieu of a biennial audit; increase expenditure amount

**Bill Summary:** HB 456 increases the threshold for when a local government entity with a population of less than 1,500 can choose to do an annual report instead of a biennial audit from less than \$300,000 in fiscal year expenditures to less than \$550,000.

**Authored By:** Rep. Jan Tankersley (160th)

**House Committee:** Budget and Fiscal Affairs Oversight

**Committee Action:** 02-27-2019 Do Pass

## Industry and Labor Committee

### HB 373 Labor, Department of; employment security; change certain provisions

**Bill Summary:** House Bill 373 authorizes the commissioner of labor to set the rules and regulations necessary to follow the guidelines set forth in Title 34 of Georgia Code. The bill also authorizes the commissioner of labor to require criminal background checks for all Department of Labor employees or employee applicants.

The bill also modifies the time frame for a benefit year from a one-year period starting on the day of the claim to a 52-week period starting on the Sunday of or prior to the claim. The bill removes a provision which required employers to notify an employee in writing that their unemployment benefits may be denied if the employee violates the attendance policy. The bill clarifies the penalties for making false statements or misrepresentations when applying for unemployment benefits.

**Authored By:** Rep. William Werkheiser (157th)

**House Committee:** Industry and Labor

**Committee Action:** 02-27-2019 Do Pass

## Insurance Committee

### HB 84 Insurance; provide for consumer protections regarding health insurance

**Bill Summary:** HB 84 establishes new transparency rules between health care providers (including group practice, diagnostic and treatment centers, or health centers), physicians, insurers, and their respective patients or prospective patients. These transparency rules that vary between health care providers, physicians, and insurers are related to billing, execution participation agreements, providing the patient with out-of-network options and expenses, updating annual lists of charges for items and services, and other related information.

**Authored By:** Rep. Richard Smith (134th)

**House Committee:** Insurance

**Committee Action:** 02-27-2019 Do Pass by Committee Substitute

### HB 227 Insurance; discrimination against victims of family violence to include victims of sexual assault; expand prohibitions

**Bill Summary:** House Bill 227 amends Title 33, relating to enumeration of unfair methods of competition and unfair or deceptive acts or practices regarding insurance, by including victims of sexual assault to the prohibitions on discrimination against victims of family violence.

**Authored By:** Rep. Spencer Frye (118th)  
**House** Insurance  
**Committee:**

**Committee** 02-27-2019 Do Pass by Committee  
**Action:** Substitute

### **HB 323 Insurance; administration of claims by pharmacy benefit managers; revise provisions**

**Bill Summary:** House Bill 323 amends Title 33, relating to regulation and licensure of pharmacy benefit managers (PBMs). Code Section 33-64-10 is amended by requiring that any rebate received by the pharmacy benefits manager will not apply against the patient's cost of medication and will not increase the dispensing pharmacy or other dispenser practice's cost of participation.

Additionally, House Bill 323 adds several new prohibitions for PBMs, to include:

1. Entering into a contract in which a pharmacy or dispenser practice can be held responsible for a fee, penalty, offset or recoupment;
2. Referring an insured person for the provision of pharmacy care services to an affiliated pharmacy;
3. Transferring or sharing records relative to prescription information containing patient identifiable or prescriber identifiable data to an affiliated pharmacy for any commercial or marketing purpose;
4. Making any statement or misrepresentation to an insured person, pharmacist, pharmacy, dispenser, or dispenser practice which is false or misleading;
5. Conditioning payment, reimbursement, or network access that requires an accreditation, certification, credentialing standard, or insurance or surety bond requirement on a pharmacist, pharmacy, or dispenser or dispenser practice, beyond those required by the State of Board of Pharmacy;
6. Restricting an insured person from utilizing any in-network pharmacy or dispenser practice for any patient-covered prescription medication; and
7. Implementing any medication management, prior approval, or repeat approval program that alters or denies access to ongoing therapy.

**Authored By:** Rep. David Knight (130th)  
**House** Insurance  
**Committee:**

**Committee** 02-27-2019 Do Pass by Committee  
**Action:** Substitute

### **HB 367 Corporate Governance Annual Disclosure Act; enact**

**Bill Summary:** House Bill 367 establishes the 'Corporate Governance Annual Disclosure Act.' This act requires that an insurer, or the insurance group of which the insurer is a member, submit to the commissioner of Insurance a corporate governance annual disclosure no later than June 1 of each calendar year.

**Authored By:** Rep. Darlene Taylor (173rd)  
**House** Insurance  
**Committee:**

**Committee** 02-27-2019 Do Pass  
**Action:**

### **HB 368 Insurance; division of a domestic insurer into two or more resulting domestic insurers; provide**

**Bill Summary:** House Bill 368 provides that any domestic insurer may divide into two more resulting insurers pursuant to a plan of division. Additionally, a dividing insurer may amend a plan of division in accordance with any procedures set forth in the plan in any manner determined by the board of directors of the dividing insurer. A dividing insurer will not file a plan of division with the commissioner of Insurance unless such plan has been approved. A division does not become effective until it is approved by the commissioner after reasonable notice and a public hearing.

House Bill 368 requires that after a division has been adopted and approved, an officer or authorized representative of the dividing insurer will sign a certificate of division. When a division becomes effective, a resulting insurer will be responsible for certain policies and their liabilities. Additionally, a shareholder of a dividing insurer will be entitled to appraisal rights and to obtain payment of the fair value of that shareholder's shares.

House Bill 368 further amends Code Section 33-14-42, by permitting the commissioner's office to formulate a domestic insurance company that is established for the sole purpose of merging or consolidating with an existing domestic insurer simultaneously with a division.

**Authored By:** Rep. Darlene Taylor (173rd)  
**House Committee:** Insurance

**Committee Action:** 02-27-2019 Do Pass by Committee Substitute

### **HB 491 Insurance; regulation of insurance company holding systems; update**

Bill Summary: House Bill 491 updates the regulations of insurance company holding systems. The commissioner of Insurance is authorized to act as the group-wide supervisor for any internationally active insurance group or may acknowledge another group-wide supervisor pursuant to Code Section 33-13-7.1.

**Authored By:** Rep. Darlene Taylor (173rd)  
**House Committee:** Insurance

**Committee Action:** 02-27-2019 Do Pass

## **Juvenile Justice Committee**

### **HB 79 Blind persons; child custody matters; provisions**

Bill Summary: HB 79 prevents courts, the Department of Human Services, and any child placing agency from denying child placement, custody, visitation, guardianship, or adoption to a party because the party is blind. Further, the bill mandates that the Department of Human Services promulgate rules and regulations implementing this Code section by December 31, 2019.

**Authored By:** Rep. Carl Gilliard (162nd)  
**House Committee:** Juvenile Justice

**Committee Action:** 02-27-2019 Do Pass

### **HB 472 Juvenile Code; procedures concerning removal considerations; revise**

Bill Summary: HB 472 updates the definition of “fictive kin” to include a person, prior to the placement of the child into foster care, is a person known to the family with a substantial and positive relationship with the child and who is willing and able to provide a suitable home. The bill also allows a judge to order a temporary alternative to foster care by requiring a child to remain in his or her home as a safeguard rather than requiring removal.

The bill prohibits Department of Juvenile Justice staff to serve as intake officers for juvenile courts and lists the training and continuing education requirements for juvenile court intake officers. Moreover, the responsibility for immediate determination if a child should be released or taken into custody is vested with court and for the court to consider alternatives to a child's removal from a home.

HB 472 grants the authority for judges to issue ex parte orders prior to preliminary hearings as an attempt to find temporary alternatives to foster care in the best interests of the child and requires preliminary hearings to occur within five days. If a judge orders a child's removal from the home of a relative, friend, or fictive kin, the court must make a written determination that staying in the home would be harmful to the child. When providing a temporary alternative to foster care, there must be a: walkthrough inspection of the home; criminal records check; sex offender registry check; and child abuse record checks of everyone in the home to be completed within 72 hours of placement. The bill also adds a requirement that judges in delinquency cases deciding continued custody for a child, the court must consider placement options with a relative, neighbor, or family friend who will return to child to court when needed rather placement with DFCS,.

**Authored By:** Rep. Albert Reeves (34th)  
**House Committee:** Juvenile Justice

**Committee Action:** 02-27-2019 Do Pass by Committee Substitute

## State Properties Committee

### HB 455 Georgia Agricultural Marketing Authority Act; enact

Bill Summary: House Bill 455 creates the Georgia Agricultural Marketing Authority and assigns it to the Department of Agriculture for administrative purposes. The authority is responsible for providing facilities and activities to promote the agricultural community's products to agribusiness entities and the public.

The authority has 10 members, comprised of nine appointed members as well as the commissioner of the Department of Agriculture. The governor, the lieutenant governor, and the speaker of the House are to appoint three members each. Of the three members, two must represent the state's agriculture and business interests and one must represent the interests of consumers. Initially appointed members will serve staggered terms as follows: three members for one year, three members for two years, and three members for three years. All subsequent terms will be for four years.

HB 455 grants the authority the ability to build, manage, and operate property owned or leased by either the authority or the state of Georgia. All funds received as grants, revenues, rents, and earnings are to be trust funds to be held and applied as stated in Title 2, Chapter 23 of the Official Code of Georgia Annotated. The authority may issue bonds for which the principal and interest may only be paid using the authority's fund.

Any legal action taken by or against the authority is to be brought in the Superior Court of Tift County. Legal services for the authority will be provided by the Attorney General.

<b>Authored By:</b>	Rep. Penny Houston (170th)	<b>Committee</b>	02-27-2019 Do Pass by Committee
<b>House</b>	State Properties	<b>Action:</b>	Substitute
<b>Committee:</b>			

## Ways & Means Committee

### HB 132 Income tax; permit affiliated entities to apply certain transferable tax credits against payroll withholding

Bill Summary: House Bill 132 allows for the recipient of a transferred film tax credit or postproduction tax credit to use the credit against payroll tax withholdings.

<b>Authored By:</b>	Rep. Bruce Williamson (115th)	<b>Committee</b>	02-27-2019 Do Pass
<b>House</b>	Ways & Means	<b>Action:</b>	
<b>Committee:</b>			

### HB 168 Sales and use tax; tangible personal property to certain non-profit health centers; extend exemption for five additional years

Bill Summary: House Bill 168 extends the exemption of sales and use tax on purchases made by non-profit health centers and non-profit volunteer health centers to June 30, 2024.

<b>Authored By:</b>	Rep. Darlene Taylor (173rd)	<b>Committee</b>	02-27-2019 Do Pass
<b>House</b>	Ways & Means	<b>Action:</b>	
<b>Committee:</b>			

### HB 266 Revenue and taxation; income for contributions to savings trust accounts; revise deduction

Bill Summary: House Bill 266 amends 48-7-27, relating to the Georgia Higher Education Savings Plan, by increasing the limit for single filers to \$4,000 per year and for joint filers to \$8,000 per year.

<b>Authored By:</b>	Rep. Marcus Wiedower (119th)	<b>Committee</b>	02-27-2019 Do Pass
<b>House</b>	Ways & Means	<b>Action:</b>	
<b>Committee:</b>			

**HB 287 Income tax; certain physicians serving as community based faculty physicians; delete deduction**

Bill Summary: House Bill 287 adds language which replaces the preceptor tax deduction with a tax credit. The credit is set at \$500 for the first through third preceptorship rotation and \$1,000 for the fourth through tenth preceptorship rotation for physicians and \$375 for the first through third preceptorship rotation and \$750 for the fourth through tenth preceptorship rotation for physician assistants and advanced practice registered nurses. The Area Health Education Centers (AHEC) program office at Augusta University shall administer the program and provide an annual report to the Governor, chairperson of the Senate Finance Committee, and the chairperson of the House Ways and Means Committee which includes the number of community based faculty preceptors claiming a credit, the number of preceptorship rotations completed, the number of students who participated in a preceptorship rotation, and the total amount of credits awarded. The credit will sunset on December 31, 2023.

**Authored By:** Rep. Matt Dubnik (29th)  
**House Committee:** Ways & Means  
**Committee Action:** 02-27-2019 Do Pass

**HB 314 Georgia Uniform Certificate of Title for Vessels Act; enact**

Bill Summary: House Bill 314, the 'Georgia Uniform Certificate of Title for Vessels Act', requires that every vessel using the waters of this state be titled unless it is exempt from being required to be numbered. All outboard motors greater than 25 horsepower must be included on the vessel title. If an owner transfers ownership of a damaged hull vessel that is covered by a certificate of number, the owner must submit an application to the department for a new certificate of number including the title brand designation "damaged hull" or indicate on the certificate of title or bill of sale that the vessel is hull-damaged. The bill requires the Department of Natural Resources to maintain electronic records of titles and provide a physical certificate of title to the owner or lienholder upon request.

**Authored By:** Rep. Ron Stephens (164th)  
**House Committee:** Ways & Means  
**Committee Action:** 02-27-2019 Do Pass by Committee Substitute

**HB 352 Sales and use tax; exemption for competitive projects of regional significance; change sunset provision**

Bill Summary: House Bill 352 amends 48-8-3, relating to exemptions from sales and use tax, by extending the sunset date on the sales tax exemption for tangible personal property used for and in the construction of a competitive project of regional significance from June 30, 2019 to June 30, 2024.

**Authored By:** Rep. Albert Reeves (34th)  
**House Committee:** Ways & Means  
**Committee Action:** 02-27-2019 Do Pass

**HB 365 Alternative ad valorem tax; motor vehicles; lower tax rate imposed**

Bill Summary: House Bill 365 amends 48-5C-1, relating to alternative ad valorem taxes on motor vehicles, by amending the definition of fair market value as it relates to used motor vehicles and kit cars, lowers the tax rate from 7 percent to 6.6 percent for July 1, 2019 through July 1, 2023, and extends the range for model year vehicles receiving a reduced rate of 0.5 percent from 1963 to 1985 model years to 1963 to 1989 model years.

The definition of fair market value of a new and used vehicle is amended to equal the retail selling price of the vehicle less any reduction for a trade-in when purchased from a new or used car dealer and the fair market value for kit cars is amended to equal the retail selling price of the kit.

**Authored By:** Rep. Shaw Blackmon (146th)  
**House Committee:** Ways & Means  
**Committee Action:** 02-27-2019 Do Pass by Committee Substitute

**HB 419 Revenue and taxation; Internal Revenue Code and Internal Revenue Code of 1986; define terms and incorporate certain provisions of federal law into Georgia law**

Bill Summary: House Bill 419 provides the annual Internal Revenue Code update to 48-1-2 and amends 48-7-53, relating to partnerships, by: clarifying the decision to pay tax at the entity level is irrevocable; requiring the partnership to notify the partners of adjustments even if the decision to pay at the entity level was made, stating, if income is fraudulently underreported, taxable income reported at the entity level for the resident partners can be determined by looking through to the resident partners, and adjusts the tax rate to match that of the corporate tax rate established in 48-7-21.

<b>Authored By:</b>	Rep. David Knight (130th)	<b>Committee</b>	02-27-2019 Do Pass
<b>House</b>	Ways & Means	<b>Action:</b>	
<b>Committee:</b>			

**HB 447 Sales and use tax; jet fuel; exempt for a period of time and levy an excise tax during such period**

Bill Summary: House Bill 447 amends 48-8-3.5, relating to taxation on sale or use of jet fuel, by extending the sunset on the sales tax exemption on jet fuel from June 30, 2019 to June 30, 2039 and establishing an excise tax of \$0.005 per gallon on jet fuel.

<b>Authored By:</b>	Rep. Dominic LaRiccica (169th)	<b>Committee</b>	02-27-2019 Do Pass
<b>House</b>	Ways & Means	<b>Action:</b>	
<b>Committee:</b>			

## Committee Meeting Schedule

*This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change.  
To keep up with the latest schedule, please visit [www.house.ga.gov](http://www.house.ga.gov) and click on [Meetings Calendar](#).*

### Thursday, February 28, 2019

8:00 AM	<a href="#">NATURAL RESOURCES AND ENVIRONMENT</a>	606 CLOB
9:00 AM	<a href="#">RULES</a>	341 CAP
10:00 AM	<a href="#">FLOOR SESSION (LD 24)</a>	House Chamber
1:00 PM	<a href="#">JUVENILE JUSTICE</a>	406 CLOB
1:00 PM	<a href="#">Railway and Transit Subcommittee</a>	506 CLOB
1:00 PM	<a href="#">EDUCATION</a>	606 CLOB
2:00 PM	<a href="#">TRANSPORTATION</a>	506 CLOB
2:00 PM	<a href="#">BANKS AND BANKING</a>	341 CAP
2:00 PM	<a href="#">Setzler Subcommittee of Judiciary (Non-Civil)</a>	515 CLOB
2:00 PM	<a href="#">Kelley Subcommittee of Judiciary</a>	132 CAP
2:00 PM	<a href="#">GAME, FISH AND PARKS</a>	403 CAP
2:30 PM	<a href="#">Powell Subcommittee of Public Safety &amp; Homeland Security</a>	415 CLOB
3:00 PM	<a href="#">ENERGY, UTILITIES AND TELECOMMUNICATIONS</a>	403 CAP
3:00 PM	<a href="#">MOTOR VEHICLES</a>	515 CLOB
3:00 PM	<a href="#">Welch Subcommittee of Judiciary</a>	132 CAP
3:30 PM	<a href="#">Reeves Subcommittee of Judiciary (Non-Civil)</a>	415 CLOB