



Georgia

HOUSE OF REPRESENTATIVES

Tuesday  
March 5,  
2019

# DAILY REPORT

27th  
Legislative  
Day

House Budget & Research Office  
(404) 656-5050

- The House will reconvene for its 28th Legislative Day on Thursday, March 7 at 10:00 a.m.
- The Rules Committee will meet on Wednesday, March 6 at 1:00 p.m.

## Today on the Floor

### Rules Calendar

#### **HB 12 Quality Basic Education Act; post sign containing telephone number to receive reports of child abuse; require every public school**

**Bill Summary:** House Bill 12 creates O.C.G.A. 20-2-324.4, which is a new Code section requiring the posting of signs that contain the toll-free number to report incidents of child abuse in a visible, public area of a school.

**Authored By:** Rep. Ricky Williams (145th)  
**House Committee:** Education  
**Floor Vote:** Yeas: 166 Nays: 0

**Rule Applied:** Modified-Open  
**Committee Action:** 02-28-2019 Do Pass  
**Amendments:**

#### **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  
**Floor Vote:** Yeas: 167 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-27-2019 Do Pass  
**Amendments:**

#### **HB 101 Ad valorem tax; all-terrain vehicles; revise definitions**

**Bill Summary:** House Bill 101 amends multiple Code sections including 48-1-1, relating to definitions, by revising the definition of 'all-terrain vehicle' to mean a motorized vehicle manufactured for off-highway use which is equipped with three or more non-highway tires, is 80 inches or less in width with a dry weight of 2,500 pounds or less, and is designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain.

The bill also amends 40-8-9.1, relating to marking and equipment of all-terrain vehicles used as law enforcement vehicles, and 48-5-504.40, relating to watercraft and all-terrain vehicles which are held in inventory for resale to be exempt from ad valorem taxation for a limited period of time, by revising the definition of 'all-terrain vehicle' to match the definition on 48-1-1.

**Authored By:** Rep. Jason Ridley (6th)

**Rule Applied:** Structured

<b>House Committee:</b>	Ways & Means	<b>Committee Action:</b>	02-21-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 168 Nays: 0	<b>Amendments:</b>	

**HB 196 Retirement and pensions; each public retirement system trustee to complete appropriate education applicable to his or her fiduciary duties; require**

Bill Summary: HB 196 requires trustees for each public retirement system to complete education training applicable to their fiduciary duties and obligations. The bill details the type and amount of training required and allows for the removal of the trustee for not completing the training. The Department of Audits and Accounts has certified HB 196 as a non-fiscal retirement bill.

<b>Authored By:</b>	Rep. Tommy Benton (31st)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Retirement	<b>Committee Action:</b>	02-26-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 152 Nays: 13	<b>Amendments:</b>	

**HB 218 Education; eligibility requirements to receive the HOPE Scholarship as a Zell Miller Scholarship Scholar; provide**

Bill Summary: HB 218 provides that students receiving a HOPE scholarship between July 1, 2011 and June 30, 2019 will remain eligible for that scholarship for up to seven years from their high school graduation date; however, if the student serves in the military during that seven-year period, their active duty service will not count towards the seven years. HB 218 also provides that students receiving a HOPE scholarship on or after July 1, 2019 will remain eligible for that scholarship for up to 10 years from their high school graduation date; however, if the student serves in the military during that 10-year period, their active duty service will not count towards the 10 years.

<b>Authored By:</b>	Rep. Ricky Williams (145th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Higher Education	<b>Committee Action:</b>	03-01-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 164 Nays: 0	<b>Amendments:</b>	

**HB 223 Conservation and natural resources; provide for an exception to notification of spills or releases; provide for definitions**

Bill Summary: House Bill 223 inserts the definition for "animal waste" into Code Section 12-14-1, which concerns oil or hazardous material or releases.

<b>Authored By:</b>	Rep. Robert Dickey (140th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Natural Resources & Environment	<b>Committee Action:</b>	02-28-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 162 Nays: 5	<b>Amendments:</b>	

**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.

<b>Authored By:</b>	Rep. Spencer Frye (118th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Insurance	<b>Committee Action:</b>	02-27-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 164 Nays: 1	<b>Amendments:</b>	

**HB 230 Business corporations; provide for benefit corporations**

Bill Summary: HB 230 amends the Code section related to business corporations by adding a new article relating to "benefit corporation(s)", which are defined as a business whose articles of incorporation contain a public benefit provision. Requirements of benefits corporations are outlined, such as proper name, stock certifications, and a disclosure that they are a benefit corporation on issued stock. Additionally, a two-thirds of the vote of all classes for non-benefit corporations is

required to: (1) amend its articles of incorporation to include a public benefit provision; (2) transfer property if the entity transferring to is a benefit corporation; or (3) engage in a transaction that would result in shareholders owning shares of a benefit corporation, or similar entity. Benefit corporations, without at least two-thirds vote of all voting classes, shall not amend their articles to remove or substantially alter the public benefit provision, engage in a transaction that would give ownership or interest of the benefit corporation to a non-benefit corporation, or transfer property to a transferee who is not a benefit corporation.

The board of directors of benefit corporations are charged to be mindful of the public provision when conducting its business and adopt a standard to measure the achievement performance regarding the public benefit provision. Liability is limited for boards of directors in that they have (1) no duty to any person that has an interest in the public benefit specified in the articles of incorporation; and (2) unless stated in the articles of incorporation, the directors shall have no monetary liability to any person for any failure to comply with this Code section, or for failure to pursue any public benefit.

The benefit corporation shall also provide each member with a statement containing the public benefit provision on each notice for a meeting. No less than annually, the board shall provide its shareholders, in addition to anyone else who requests it, a statement showing the performance on the pursuit of the public benefit provision of their articles of incorporation.

Requirements of the benefit corporation shareholder meetings are outlined. Additional requirements that may be listed in the benefit corporation's articles are listed. The definition of "foreign corporation" includes benefit corporations, social purpose corporations, or substantially similar entities. The right to dissent in benefit corporations gives an option by including "consummation" with two-thirds vote as previously stated. Finally, a section is amended to refer to one of the sections added in this bill for the requirement of the name of the foreign corporation.

**Authored By:** Rep. Scott Holcomb (81st)  
**House Committee:** Judiciary  
**Floor Vote:** Yeas: 165 Nays: 2

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-01-2019 Do Pass  
**Amendments:**

## HB 239 Georgia Business Court; establish

**Bill Summary:** This bill provides the general legislation for the statewide business court as approved by the constitutional referendum in 2018. The terms of court are the same as the Georgia Supreme Court. Except as otherwise provided under the Georgia Constitution, pretrial proceedings shall be held in Atlanta, the main office, or at the court's sole discretion, via teleconference; all trials shall be held in the county as determined according to traditional venue rules, unless otherwise agreed to by the parties. A judge shall appoint another court judge if there must be a recusal, and if one is not available, the Georgia Supreme Court shall order a sitting judge of the Court of Appeals, superior, or state court to sit by designation in that case.

The court shall not have jurisdiction over cases involving physical or emotional injury, residential landlord and tenant disputes, or foreclosures, but it will have jurisdiction over equity cases, regardless of the amount in controversy, related to: corporations; small business entities; internal affairs of businesses; sale of goods under the uniform commercial Code; securities; arbitration; licensing of any intellectual property right arising from e-commerce agreements involving commercial real property; and where the state and federal courts have concurrent jurisdiction. When damages are the only relief requested, the amount in controversy must be at least \$250,000 unless the dispute is only for damages related to commercial real property, and then the amount in controversy must exceed \$1 million.

Cases may come before the court by: (1) a party filing in the court to initiate a civil action that has not already been filed in superior court or state court; (2) a party to an action already in state or superior court who files a transfer to the court within 60 days of all parties being served, or the case becomes transferable and filed within those 60 days and the judge finds the case within the court's authority and orders the transfer; or (3) all parties to an action already in a state or superior court agree to remove to the business court and file that agreement within 60 days of commencing the action in state or superior court. The filing fee is \$5,000 to be paid by the party or parties seeking initiation or transfer, or by all parties pro rata where removed by agreement. Upon proof of such transfer or

removal the state court or superior court shall certify the transfer or removal.

The court shall initially consist of one judge, one clerk, and one division which shall be appointed and confirmed by December 31, 2019. It will commence operations on January 1, 2020 and begin accepting cases on August 1, 2020; however, the General Assembly may create additional judges, clerks, or divisions based on caseload and need. To qualify as a court judge, the appointee must be for the past seven years a: Georgia resident, U.S. citizen, and admitted to the practice of law in Georgia with at least 15 years of legal experience in complex litigation, preferably in business. Court judges and clerks are appointed by the governor, subject to majority approval of the House and Senate Judiciary committees, serve a five-year term, and may be reappointed at the end of their term so long as the judge remains qualified. An oath of office for the judge is provided. The salary for the judge is \$174,500 and the judge sets the clerk's salary subject to appropriation by the General Assembly. The judge may be reimbursed like other state employees, including expenses for travel, if the judge resides 50 miles or more from the main office in Atlanta. Subject to Georgia Supreme Court approval, the judge of the court is empowered to create rules governing the business court, and to that end may empanel a commission of up to eight volunteer individuals to assist. The judge may appoint and remove law assistants, who are either admitted or in the process of being admitted to the bar. The court may also purchase supplies, publications, and employ other staff as needed, and the clerk will pay them based on appropriations by the General Assembly. Appeals shall be made to the Court of Appeals, unless otherwise taken by the Supreme Court. The court is also authorized to grant relief by declaratory judgment. Proceedings shall be filed in the court as other proceedings are filed in superior court, and similarly trial shall not commence earlier than 20 days after services unless otherwise agreed to by the parties. Also, like superior court, the court has contempt authority.

<b>Authored By:</b>	Rep. Chuck Efstoration (104th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Judiciary	<b>Committee Action:</b>	02-26-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 156 Nays: 8	<b>Amendments:</b>	

### HB 253 Professions and businesses; occupational therapists; update and revise various provisions

**Bill Summary:** HB 253 updates and revises the Code regarding occupational therapists. The bill allows licensed occupational therapists to provide therapeutic services through telecommunication and e-health services. In addition, authorized agents of the State Board of Occupation Therapy are granted the authority to enter and make reasonable inspections of any place where occupational therapy is practiced. In order for a foreign-trained occupational therapist to practice in Georgia, that therapist must complete an academic program approved by the World Federation of Occupational Therapists or other credentialing entity recognized by the board.

<b>Authored By:</b>	Rep. Lee Hawkins (27th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Regulated Industries	<b>Committee Action:</b>	02-26-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 158 Nays: 9	<b>Amendments:</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. For physicians, the credit is \$500 for the first through third preceptorship rotation and \$1,000 for the fourth through tenth preceptorship rotation. For physician assistants and advanced practice registered nurses, the credit is \$375 for the first through third preceptorship rotation and \$750 for the fourth through tenth preceptorship rotation. 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 sunsets on December 31, 2023.

<b>Authored By:</b>	Rep. Matt Dubnik (29th)	<b>Rule Applied:</b>	Structured
<b>House Committee:</b>	Ways & Means	<b>Committee Action:</b>	02-27-2019 Do Pass
<b>Committee:</b>		<b>Action:</b>	

Floor Vote: Yeas: 163 Nays: 2

Amendments:

**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 of Natural Resources (DNR) 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 DNR 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  
**Floor Vote:** Yeas: 154 Nays: 10

**Rule Applied:** Structured  
**Committee Action:** 02-27-2019 Do Pass by Committee Substitute  
**Amendments:**

**HB 324 Georgia's Hope Act; enact**

**Bill Summary:** HB 324 is known as the 'Georgia's Hope Act' and allows for the production, manufacturing, and dispensing of low THC oil with a lawful valid license issued by the Low THC Oil License Oversight Board. The bill also creates the Office of Low THC Oil Control within the Department of Public Health. The department is granted the authority to promulgate rules and regulations to establish security, quality control, tracking, and oversight of all low THC oil production to ensure market stability and adequate supply. Moreover, the department is prohibited from promulgating rules and regulations that would unduly burden access to low THC oil by registered patients. The Low THC Oil License Oversight Board, comprised of 12 members, is charged with reviewing and approving applications to ensure a competitive process for licenses issued. Members of the oversight board serve without compensation but receive a per diem for each day of attendance at board meetings and serve at the pleasure of the governor, president of the Senate, or speaker of the House in accordance with their manner of appointment.

No later than January 1, 2020, the department shall issue five Class 1 production licenses, providing it receives at least five qualified applications. Class 1 licenses are authorized to: grow unlimited amounts of cannabis or hemp products in only indoor facilities for producing low THC oil; manufacture low THC oil; operate five safe access retail outlets; and provide home delivery through company owned and operated vehicles. Applicants for a Class 1 license must show: at least \$10 million in available cash reserves; a written production plan; a comprehensive security plan which also includes transportation; a detailed employment plan; a written plan for certified organic production; letters of support from local government entities; a demonstration of significant involvement in the business by one or more minority business enterprises; documentation of industry capabilities and experience; and copies of recent criminal background checks for all employees and owners. The applicant for a Class 1 production license must submit a non-refundable application fee of \$50,000. Upon the award of a Class 1 production license, the applicant must submit an initial license fee of \$100,000 with the annual renewal fee of \$50,000. No person or entity may hold ownership in more than one Class 1 production license.

No later than January 1, 2020, the department shall issue five Class 2 production licenses, providing it receives at least five qualified applications. Class 2 licenses are authorized to: grow cannabis or hemp products in only indoor facilities, limited to 20,000 square feet, for producing low THC oil; manufacture low THC oil; operate three safe access retail outlets; and provide home delivery through company-owned and operated vehicles. Applicants for a Class 2 license must show: at least \$1 million in available cash reserves; a written production plan; a comprehensive security plan which also includes transportation; a detailed employment plan; detailed designs of all production and retail facilities; a written plan for certified organic production; letters of support from local government entities; a demonstration of significant involvement in the business by one or more minority business enterprises; documentation of industry capabilities and experience; and copies of recent criminal background checks for all employees and owners. The applicant for a Class 2 production license must

submit a non-refundable application fee of \$12,500. Upon the award of a Class 2 production license, the applicant must submit an initial license fee of \$25,000 with the annual renewal fee of \$12,500. No person or entity may hold ownership in more than one Class 2 production license.

No later than January 1, 2020, the department shall issue 10 safe access retail licenses, providing it receives at least 10 qualified applications, which are authorized to operate two safe access retail outlets. Applicants for a safe access retail license must show: at least \$250,000 in available cash reserves; a comprehensive security plan; a detailed employment plan; detailed designs of retail facilities; letters of support from local government entities; a demonstration of significant involvement in the business by one or more minority business enterprises; and copies of recent criminal background checks for all employees and owners. The applicant for a safe access retail license must submit a non-refundable application fee of \$10,000. Upon the award of a safe access retail license, the applicant must submit an initial license fee of \$20,000 with the annual renewal fee of \$10,000. No person or entity may hold ownership in more than one safe access retail license.

HB 324 requires that each Class 1 and Class 2 production licensee to establish, utilize, and maintain a sophisticated tracking system for all phases of production allowing for real-time department access. Moreover, the tracking system must be operated in compliance with the federal Health Insurance Portability and Accountability Act of 1996.

No person may enter a safe access retail outlet unless he or she is an employee of the retail outlet, an employee of a licensee, or a registered patient or registered caregiver in possession of a valid registration card.

No licensee shall operate in any location, whether for cultivation, harvesting, and processing marijuana for low THC oil, within a 3000 foot radius of a school, an early care program, church, synagogue, or other place of public worship in existence prior to the date of licensure by the department. In addition, licensees must comply with strict advertisement requirements which prohibit advertising that promotes recreational or non-medical use of marijuana. All licensees must provide on-demand access to facilities for inspection by the Georgia Bureau of Investigation or the department.

It is unlawful to ingest low THC oil in a manner that employs a heating element that can be used to produce vapor in solution or other form.

<b>Authored By:</b>	Rep. Micah Gravley (67th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Regulated Industries	<b>Committee Action:</b>	03-01-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 123 Nays: 40	<b>Amendments:</b>	AM 33 1866

#### **HB 342 Motor vehicles; issuance of a traffic citation to a vehicle owner in lieu of the individual operating the motor vehicle in certain instances; provide**

Bill Summary: House Bill 342 authorizes law enforcement officers to issue the violation citation to the vehicle owner, rather than the vehicle driver, when issuing citations for an unregistered vehicle, vehicle without a proper license plate, or driving an unsafe vehicle if the owner is present at the time of issuance.

<b>Authored By:</b>	Rep. Matt Dollar (45th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Motor Vehicles	<b>Committee Action:</b>	02-28-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 131 Nays: 32	<b>Amendments:</b>	

#### **HB 345 Penal institutions; pregnant female inmates or a female inmate who is in the immediate postpartum period; provide prohibited practices**

Bill Summary: House Bill 345 provides prohibitions relating to a pregnant female inmate or a female inmate who is in the immediate postpartum period.

House Bill 345 prohibits custodians from requiring a woman during the second or third trimester of pregnancy to squat or cough during a strip search. Additionally, a pregnant woman is not required to undergo any vaginal examinations unless prescribed and performed by a licensed health care

professional.

Furthermore, House Bill 345 prohibits a custodian from using handcuffs, waist shackles, leg irons, or restraints of any kind on a woman who is in the second or third trimester of pregnancy, in labor, in delivery, or in the immediate postpartum period.

House Bill 345 requires that a woman who is pregnant or in the immediate postpartum period may only be restrained using wrist handcuffs, held in front of her body, if there are compelling grounds to believe that the woman presents an immediate and serious threat of harm to herself or others, or is a substantial flight risk and cannot be contained by other means. Any wrist handcuffs used by a custodian on a pregnant woman, or postpartum, must be documented within three days of the incident, reviewed by the officer in charge, and retained by the penal institution; however, House Bill 345 does not prohibit the use of medical restraints by a licensed health care professional to ensure the medical safety of the woman.

Furthermore, beginning November 1, 2020, the Department of Public Health and the Department of Corrections will jointly provide to the House and Senate Judiciary Committees an annual report for the prior year detailing the total number of women, pregnant women, births, and maternal complications. This report will also detail the gestational age and birth weight of each infant born, the type of maternal complications, as well as any documentation relating to the use of restraints retained by each penal institution, if applicable.

**Authored By:** Rep. Sharon Cooper (43rd)  
**House Committee:** Health & Human Services  
**Floor Vote:** Yeas: 162 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-26-2019 Do Pass by Committee Substitute  
**Amendments:**

#### **HB 346 Property; prohibit retaliation by a landlord against a tenant for taking certain actions**

**Bill Summary:** House Bill 346 adds a new Code section that allows tenants to establish a prima-facie case of retaliation by their landlord if the landlord retaliates against the tenant after the tenant, in good faith: exercises a right or remedy against the landlord granted by lease or law; gives notice to repair; files a building, housing, or utility code complaint with a governmental entity responsible for enforcing such codes; or establishes or participates in a tenant organization.

Within six months of the tenant engaging in any of the above actions, the landlord must not: file a dispossessory action; deprive the tenant of the use of the premises; decrease services to the tenant; increase the tenant's rent or terminate the tenant's lease; or (materially interfere with the tenant's rights under the lease. A landlord is not liable for retaliation if the landlord can prove: the action was not retaliation; the rent increased pursuant to an escalation clause in the lease or as part of a pattern of rent increases in the complex; or it instituted a dispossessory proceeding because: the tenant is delinquent in rent; intentionally damaged the property; threatened the landlord, another tenant, or an employee; materially breached the lease; held over after giving notice to terminate or vacate; or took action against the landlord for housing conditions only after the landlord provided the notice of termination to the tenant.

When a tenant proves the landlord retaliated, the tenant is entitled to, minus any delinquent rents or other sums for which the tenant is liable to the landlord, one month's rent plus: \$500; actual damages and expenses; court costs; reasonable attorney's fees in an action for recovery of property damages; moving costs; civil penalties; or declaratory or injunctive relief; however, when the tenant's rent is subsidized by a governmental entity, the tenant is entitled to the fair market rent of the dwelling plus \$500.

**Authored By:** Rep. Sharon Cooper (43rd)  
**House Committee:** Judiciary  
**Floor Vote:** Yeas: 131 Nays: 25

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-01-2019 Do Pass by Committee Substitute  
**Amendments:**

**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 seven 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.

<b>Authored By:</b>	Rep. Shaw Blackmon (146th)	<b>Rule Applied:</b>	Structured
<b>House Committee:</b>	Ways & Means	<b>Committee Action:</b>	02-27-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 168 Nays: 0	<b>Amendments:</b>	

**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 a corporate governance annual disclosure no later than June 1 of each calendar year to the commissioner of the Department of Insurance.

<b>Authored By:</b>	Rep. Darlene Taylor (173rd)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Insurance	<b>Committee Action:</b>	02-27-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 165 Nays: 3	<b>Amendments:</b>	

**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.

<b>Authored By:</b>	Rep. Darlene Taylor (173rd)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Insurance	<b>Committee Action:</b>	02-27-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 165 Nays: 3	<b>Amendments:</b>	

**HB 387 Property; liens in favor of private, nonprofit, volunteer fire departments for instances of fire services that are requested by property owners; provide**

Bill Summary: House Bill 387 establishes a new category of allowable liens to include those in favor of private, nonprofit, volunteer fire departments for debts which stem from the performance of their services that are requested by property owners.

<b>Authored By:</b>	Rep. Eddie Lumsden (12th)	<b>Rule Applied:</b>	Modified-Structured
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<b>House Committee:</b>	Judiciary	<b>Committee Action:</b>	03-01-2019 Do Pass as Amended
<b>Floor Vote:</b>	Yeas: 163 Nays: 1	<b>Amendments:</b>	

**HB 406 Local government; joint authorities to furnish certain information necessary for the state auditor to determine the net impact of their activities on associated tax digests; require**

Bill Summary: House Bill 406 amends O.C.G.A. 36-62-5.1, relating to joint authorities, by adding a new subsection which requires each joint authority to submit an annual report to the state revenue commissioner and the state auditor which identifies all real property and all property interests that are owned, in part or in full, by the joint authority as well as any encumbrances, liens, or covenants on such properties. The annual report must also include all agreements or contracts related to the joint authority that are between one or more counties, municipalities, joint authorities, or private parties that reference taxes, lease agreements, or the sharing of revenue, funds, fees, taxes, assessments, fines, or any other income. The information compiled in this report shall be used by the state auditor to determine each county's equalized adjusted property tax digest. The state auditor must annually produce a report that compiles the information gathered by the joint authorities and present that report to the affected local taxing jurisdiction.

<b>Authored By:</b>	Rep. Bruce Williamson (115th)	<b>Rule Applied:</b>	Structured
<b>House Committee:</b>	Ways & Means	<b>Committee Action:</b>	03-01-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 168 Nays: 0	<b>Amendments:</b>	

**HB 445 Conservation and natural resources; shore protection; revise various provisions**

Bill Summary: House Bill 445 provides new determinants for establishing boundaries associated with the 'Shore Protection Act.' The boundaries are to be drawn as follows: 25 feet landward from the closest sand dunes to shore; 25 feet landward from the crest of a shoreline stabilization activity; or, in the absence of sand dunes or stabilization structures, 25 feet landward from the ordinary high-water mark for private property or 100 feet landward from the ordinary high-water mark for state property.

The bill creates a minor activity permit that allows for alterations to property if the impact is less than one-third of the portion of the property within the jurisdictional boundary.

<b>Authored By:</b>	Rep. Don Hogan (179th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Natural Resources & Environment	<b>Committee Action:</b>	02-28-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 113 Nays: 54	<b>Amendments:</b>	

**HB 446 Revenue and taxation; timber producers incurring losses from Hurricane Michael; clarify that certain credits that have been transferred shall not be refundable**

Bill Summary: House Bill 446 amends O.C.G.A. 48-7-40.36, relating to income tax credits for timber producers incurring losses from Hurricane Michael, by limiting the refundability of the credit to the taxpayer that incurred the timber loss.

<b>Authored By:</b>	Rep. David Knight (130th)	<b>Rule Applied:</b>	Structured
<b>House Committee:</b>	Ways & Means	<b>Committee Action:</b>	03-01-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 162 Nays: 0	<b>Amendments:</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>Rule Applied:</b>	Structured
<b>House Committee:</b>	Ways & Means	<b>Committee Action:</b>	02-27-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 140 Nays: 25	<b>Amendments:</b>	

**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>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	State Properties	<b>Committee Action:</b>	02-27-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 162 Nays: 8	<b>Amendments:</b>	

**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.

<b>Authored By:</b>	Rep. Jan Tankersley (160th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Budget and Fiscal Affairs Oversight	<b>Committee Action:</b>	02-27-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 163 Nays: 5	<b>Amendments:</b>	

**HB 471 Motor vehicles; implied consent notices; revise**

Bill Summary: HB 471 repeals the implied consent notice read by law enforcement officers during a DUI arrest and replaces the implied consent notice with updated language for: hunting under the influence; driving under the influence; and boating under the influence.

<b>Authored By:</b>	Rep. Steven Sainz (180th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Judiciary Non-Civil	<b>Committee Action:</b>	03-01-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 158 Nays: 5	<b>Amendments:</b>	

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

Bill Summary: HB 472 updates the definition of "fictive kin" to include a person, who is known to and has a substantial and positive relationship with the family and child prior to the child's placement in foster care, and who is willing and able to provide a suitable home for the child. 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. Moreover, the bill prohibits Department of Juvenile Justice staffers 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 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 a temporary alternative to foster care, there must be a walkthrough inspection of the home. Within 72 hours of placement, there must be checks for criminal records, sex offender registry, and child abuse records of everyone in the home. The bill also adds a requirement that judges in delinquency cases who are deciding continued custody for a child, must consider placement options with a relative, neighbor, or family friend who will return to child to court when needed in lieu of placement with the Division of Family and Children Services.

**Authored By:** Rep. Albert Reeves (34th)  
**House Committee:** Juvenile Justice  
**Floor Vote:** Yeas: 166 Nays: 0

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

#### **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  
**Floor Vote:** Yeas: 154 Nays: 3

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-27-2019 Do Pass  
**Amendments:**

#### **HB 492 Property; dispossessory proceedings; require applications for execution of a writ of possession be made within 30 days of issuance of the writ unless good cause is shown**

Bill Summary: HB 492 amends the Code section relating to writ of possession, meaning a writ issued by a court order to recover possession of land or property. Applications for a writ of possession, meaning a request for a sheriff or marshal to execute a writ of possession, must be made within 30 days of issuance of the writ, unless the application is accompanied by an affidavit showing good cause for the delay in applying for the writ. If the landlord fails to execute a writ of possession within 30 days from the issuance of any order granting the writ of possession, then the landlord must reapply for the writ.

**Authored By:** Rep. Bonnie Rich (97th)  
**House Committee:** Judiciary  
**Floor Vote:** Yeas: 164 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-01-2019 Do Pass by Committee Substitute  
**Amendments:**

#### **HB 499 Public utilities and public transportation; use of electric easements for broadband services; permit**

Bill Summary: House Bill 499 amends Title 46, relating to electric membership corporations (EMCs), to state the General Assembly finds a person providing broadband services should be permitted to use existing electric easements to provide or expand access to broadband services.

**Authored By:** Rep. Trey Kelley (16th)  
**House Committee:** Energy, Utilities & Telecommunications  
**Floor Vote:** Yeas: 166 Nays: 0

**Rule Applied:** Modified-Open  
**Committee Action:** 02-28-2019 Do Pass by Committee Substitute  
**Amendments:**

#### **HB 501 Game and fish; provide for mariculture development**

Bill Summary: HB 501 allows for the board of the Department of Natural Resources to create rules regarding the shellfish industry, including the following: size, possession, and creel limits; season and siting criteria; number of leases issued per year; and the importation of shellfish, shellfish tissues, or shells into the state. Following the establishment of a harvesting season, master harvesters may apply

for permission to harvest during the closed season.

The Department of Natural Resources is to continue leasing intertidal water bottoms using a bidding system and shall offer leases of subtidal water bottoms using a lottery system.

HB 501 requires an individual to obtain a permit establishing the maximum number of cages that may be deployed. Permits are to be approved in 25 cage increments at a fee of \$1 per cage.

<b>Authored By:</b>	Rep. Jesse Petrea (166th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Game, Fish, & Parks	<b>Committee Action:</b>	02-28-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 102 Nays: 60	<b>Amendments:</b>	

### **HR 346 Georgia Southern Nursing Angels Memorial Bridge; Bryan County; dedicate**

Bill Summary: House Resolution 346 is the annual House version of road dedications. The substitute includes the following dedications:

House Resolution 346, Rep. Tankersley

House Resolution 346 dedicates the northern bridge on U.S. 280 over Interstate 16 at exit 143 in Bryan County as the Georgia Southern Nursing Angels Memorial Bridge;

House Resolution 39, Rep. Caldwell

House Resolution 39 dedicates the bridge on Highway 92 east of I-575 that spans Noonday Creek in Cherokee County as the Patrick Price Memorial Bridge;

House Resolution 49, Rep. Greene

House Resolution 49 dedicates the bridge on State Route 39 over Drag Nasty Creek in Clay County as the James Bland, Sr., Memorial Bridge;

House Resolution 73, Speaker Ralston

House Resolution 73 dedicates the portion of Georgia Highway 52 East from First Avenue to Greenfield Road in Gilmer County as the G.L. Huff Family Memorial Highway;

House Resolution 74, Speaker Ralston

House Resolution 74 dedicates the bridge on Highway 515 over Ada Street in Blue Ridge, Georgia, as the John D. McDaniel Bridge;

House Resolution 75, Speaker Ralston

House Resolution 75 dedicates the intersection of State Route 515 and First Avenue in Gilmer County as the Ben Whitaker Intersection;

House Resolution 76, Rep. Jeff Jones,

House Resolution 76 dedicates the portion of U.S. Highway 84 from the eastern corporate limits of the City of Ludowici to the Long County/Liberty County line as the Chief Frank McClelland, Jr., Memorial Highway;

House Resolution 96, Rep. Greene

House Resolution 96 re-dedicates the bridge on State Route 45 over Bear Creek in Terrell County as the Kennedy and Hanner Bridge;

House Resolution 136, Rep. Greene

House Resolution 136 dedicates the bridge on State Route 1 southbound over Hod Chod-Kee Creek in Stewart County as the Thomas Morton Fort, Jr., Memorial Bridge;

House Resolution 30, Rep. Burnough

House Resolution 30 dedicates the portion of State Route 138 from State Route 85 to US 19/US 41 as the Charles Ware, Sr., Memorial Highway;

House Resolution 229, Rep. Schofield  
House Resolution 229 dedicates the bridge on Interstate 85 over Metropolitan Parkway in Fulton County as the Grace W. Davis Memorial Bridge.

**Authored By:** Rep. Jan Tankersley (160th)  
**House Committee:** Transportation  
**Floor Vote:** Yeas: 165 Nays: 0  
**Floor Action:** Adopted (Resolution)

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-04-2019 Do Pass by Committee Substitute  
**Amendments:**

## Postponed Until Next Legislative Day

### HB 89 State health planning and development; integrated ambulatory surgery centers; provide exemption from certificate of need requirements

**Bill Summary:** House Bill 89 exempts integrated ambulatory surgery centers (ASCs) from certificate of need requirements. In order to be in compliance with this exemption, the ASC must provide uncompensated indigent and charity care in an amount equal to or greater than five percent of its adjusted gross revenue. Additionally, the ASC must provide an annual report in the same manner and in accordance with Code Section 31-6-70.

**Authored By:** Rep. Chuck Martin (49th)

**Rule Applied:** Modified-Structured

### HB 426 Criminal procedure; imposition of punishment for crimes involving bias or prejudice; revise criteria

**Bill Summary:** HB 426 enhances the penalty imposed on a defendant if the court finds beyond a reasonable doubt that the victim of the crime was chosen due to race, color, religion, national origin, sexual orientation, gender, mental disability, or physical disability. If the defendant is convicted of a misdemeanor, the sentence is increased by not less than three nor more than 12 months of imprisonment and a fine not to exceed \$5,000. If the defendant is convicted of a misdemeanor of high and aggravated nature, the sentence is increased by not less than six nor more than 12 months of imprisonment and a fine not to exceed \$5,000. If the defendant is convicted of a felony, the sentence is increased by not less than two years of imprisonment. Moreover, the judge must state how much of the sentence is based on this Code section the sentence is imposed.

**Authored By:** Rep. Chuck Efstoration (104th)

**Rule Applied:** Structured

## Local Calendar

### HB 120 Bell-Forsyth Judicial Circuit; Superior Court judges; increase salary supplement

**Bill Summary:** This bill states each superior court judge of the Bell-Forsyth Judicial Circuit shall receive an annual salary supplement of \$49,500 a year.

**Authored By:** Rep. Marc Morris (26th)  
**House Committee:** Intragovernmental Coordination - Local  
**Floor Vote:** Yeas: 167 Nays: 0

**Rule Applied:**  
**Committee Action:** 03-04-2019 Do Pass  
**Amendments:**

### HB 272 Chamblee, City of; ad valorem tax; certain residents under 65 years of age; increase homestead exemption amount

**Bill Summary:** This bill increases a city of Chamblee homestead exemption from \$30,000 to \$50,000 for those under the age of 65.

**Authored By:** Rep. Scott Holcomb (81st)  
**House Committee:** Intragovernmental Coordination - Local  
**Floor Vote:** Yeas: 155 Nays: 0

**Rule Applied:**  
**Committee Action:** 03-05-2019 Do Pass  
**Amendments:**

**HB 273 Chamblee, City of; ad valorem tax; residents 65 years of age or older or who are totally disabled; revise homestead exemption**

Bill Summary: This bill amends a city of Chamblee homestead exemption for those 65 and older or those who are totally disabled in order to provide that the exemption does not apply for taxes levied by the city to pay interest on and to retire bonded indebtedness.

<b>Authored By:</b>	Rep. Scott Holcomb (81st)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-05-2019 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 155 Nays: 0	<b>Amendments:</b>	

**HB 329 South Fulton, City of; Redevelopment Powers Law; provide for a referendum**

Bill Summary: This bill authorizes the city of South Fulton 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. Marie Metze (55th)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-04-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 167 Nays: 0	<b>Amendments:</b>	

**HB 460 Roswell, City of; levy an excise tax**

Bill Summary: This bill authorizes the governing authority of the city of Roswell to levy an excise tax.

<b>Authored By:</b>	Rep. Mary Robichaux (48th)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-04-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 167 Nays: 0	<b>Amendments:</b>	

**HB 462 Coweta County; school district ad valorem tax; raise homestead exemption amounts**

Bill Summary: This bill amends a Coweta County school district homestead exemption by raising the exemption amounts. Each resident who is 65 years of age but less than 71 years of age shall be granted a \$60,000 exemption. Each resident who is 71 years of age but less than 75 years of age is granted an \$85,000 exemption. Each resident who is 75 years or older is granted a \$115,000 exemption.

<b>Authored By:</b>	Rep. Lynn Smith (70th)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-05-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 155 Nays: 0	<b>Amendments:</b>	

**HB 500 Sumter County Livestock Authority; repeal Act**

Bill Summary: This bill repeals the Sumter County Livestock Authority and provides for the assets and liabilities thereof.

<b>Authored By:</b>	Rep. Mike Cheokas (138th)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-04-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 167 Nays: 0	<b>Amendments:</b>	

**HB 510 Douglas, City of; Redevelopment Powers Law; provide for a referendum**

Bill Summary: This bill authorizes the city of Douglas 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. Dominic LaRiccica (169th)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-04-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 167 Nays: 0	<b>Amendments:</b>	

**HB 529 Norcross, City of; change terms of mayor and city councilmembers**

Bill Summary: This bill changes the terms of the mayor and city councilmembers of the city of Norcross.

<b>Authored By:</b>	Rep. Beth Moore (95th)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-04-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 167 Nays: 0	<b>Amendments:</b>	

**HB 531 Lee County; tax commissioner shall retain a percentage of educational funds and reimburse the county for the cost of collecting school taxes; repeal Act**

Bill Summary: This bill repeals an act providing that the Lee County tax commissioner shall retain a percentage of educational funds collected by the commissioner and then remit the funds to the governing authority of Lee County to reimburse the county for the cost of collecting school taxes.

<b>Authored By:</b>	Rep. Ed Rynders (152nd)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-04-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 167 Nays: 0	<b>Amendments:</b>	

**SB 53 County Board of Education of DeKalb County; boundaries of an independent school system are not extended by annexation; provide**

Bill Summary: This bill states that the boundaries of an independent school system in DeKalb County are not extended by annexation unless expressly approved in a separate referendum.

<b>Authored By:</b>	Sen. Emanuel Jones (10th)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-04-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 167 Nays: 0	<b>Amendments:</b>	

**SB 93 Superior Court of the Cherokee Judicial Circuit; supplement to be paid to each judge of such circuit; change**

Bill Summary: This bill changes the supplement to be paid to each judge of the Cherokee Judicial Circuit so they receive \$45,000 per year. The district attorney shall receive \$18,000 a year, which is in addition to the compensation paid to the district attorney by the state. These funds shall be paid out of the funds of Gordon and Bartow counties and apportioned among those two counties on a per capita basis.

<b>Authored By:</b>	Sen. Bruce Thompson (14th)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-04-2019 Do Pass
<b>Floor Vote:</b>	Yeas: 167 Nays: 0	<b>Amendments:</b>	

## Next on the Floor from the Committee on Rules

*The Rules Committee will next meet on Wednesday, March 6, at 1:00 p.m., to set the Rules Calendar for the 28th Legislative Day.*

## Committee Actions

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

### Code Revision Committee

#### **HB 553 State Victim Services Commission; bill of rights for foster parents; delete references to an obsolete entity**

**Bill Summary:** HB 553 amends the regulations regarding both the membership of the State Victim Services Commission and the bill of rights for foster parents. With regard to the State Victim Services Commission, the bill reduces the total number of members from 15 to 14 by removing the executive director of the Georgia Association of Homes and Services for Children. The bill also eliminates designations for the term length of initial members. Likewise, the bill eliminates any reference to the Georgia Association of Homes and Services for Children from the regulations regarding the bill of rights for foster parents.

Additionally, this bill cleans-up and repeals the following authorities, boards, councils, and commissions that are inactive or no longer meet: Pacific White Shrimp Aquaculture Development Advisory Council; Georgia Tobacco Community Development Board; Southern Dairy Compact Commission; Heritage Trust Commission; Child Care Council; Georgia Southern University Herty Advanced Material Development Center Advisory Board; Immigration Enforcement Review Board; Private Colleges and Universities Authority; Education Information Steering Committee; Federal and State Funded Health Care Financing Programs Overview Committee; Commission on Men's Health; Renal Dialysis Advisory Council; Arthritis Prevention and Control Program Advisory Panel; Special Advisory Commission on Mandated Health Insurance Benefits; Commission on the Georgia Health Insurance Risk Pool; and the Georgia Silver-Haired Legislature. Also removes the general prohibition of alcohol sales on certain licensed entertainment establishments.

**Authored By:** Rep. Katie Dempsey (13th)  
**House Committee:** Code Revision

**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

### Economic Development & Tourism Committee

#### **HB 525 Georgia International and Maritime Trade Center; rename to Savannah Convention Center**

**Bill Summary:** HB 525 changes the name of the Georgia International Maritime Trade Center to the Savannah Convention Center. The bill also creates a state authority, the Savannah-Georgia Convention Center Authority, to operate the center located in Chatham County, Georgia.

The authority has six members appointed by the governor, three members appointed by the Chatham County delegation of the Georgia General Assembly, the president of the Savannah Economic Development Authority, who is an ex-officio member with a vote, and the president of the Savannah Area Convention and Visitors Bureau, who is an ex-officio member with a vote. The appointed members shall serve three-year terms, which stagger over the first 3 years as follows: three members start with a one-year term, three members start with a two-year term, and three members start with a three-year term. These members shall be appointed by June 1, 2019, and shall take office July 1, 2019.

An executive committee consists of a chairman, vice-chairman, and secretary-treasurer. These positions are elected by the authority members, and five members shall constitute a quorum. Authority members are not entitled to compensation, but are reimbursed for actual costs incurred in performing their duties.

House Bill 525 authorizes the authority to: have a seal; acquire land by purchase, lease, or otherwise; acquire its own name by purchase; employ personnel for administrative duties; make and

execute contracts; acquire and manage its own projects logistically and financially; accept funds and/or materials from the state government and federal government; have the ability to lease, sell, exchange, or grant surplus property, both real and personal; inform interested parties on land acquisition and facility developments to take place; procure insurance and liability policies; adopt, change, and repeal its own by-laws; and accept loans limited to \$50 million.

The authority is exempt from paying sales and use taxes on property, and any legal activity shall be brought in the Superior Court of Chatham County. The authority is able to retain any revenue for its own purposes and will be subject to an annual audit of income and expenditures. Should the authority be dissolved for any reason, titles to any property shall be conveyed to the state of Georgia. This authority succeeds the Georgia International and Maritime Trade Center on July 1, 2019.

**Authored By:** Rep. Ron Stephens (164th)  
**House Committee:** Economic Development & Tourism  
**Committee Action:** 03-05-2019 Do Pass

## Education Committee

### HB 32 Education; duties of the Chief Turnaround Officer; revise and clarify certain provisions

**Bill Summary:** House Bill 32 amends multiple provisions of the Code relating to the Chief Turnaround Office by moving the oversight of turnaround schools from the State Board of Education to the Department of Education and establishing a teacher leader stipend.

Teacher leaders, known as turnaround instructional innovation specialists, will be eligible to receive a stipend funded by a 2:1 state/local partnership with \$5,000 coming from the state and another \$2,500 from the local system. A teacher leader must agree to teach in a turnaround school for at least three consecutive years and to other criteria as required by the state school superintendent in O.C.G.A. 20-14-49.4(c) in order to receive a stipend. After receiving a stipend for three consecutive years the teacher leader will be eligible to convert the state portion of the stipend into a permanent salary step increase on the state salary schedule, subject to appropriations.

**Authored By:** Rep. Kevin Tanner (9th)  
**House Committee:** Education  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

## Governmental Affairs Committee

### HB 34 Local government; taxpaying business owners to be appointed to development authorities; provide

**Bill Summary:** House Bill 34 allows business owners to be eligible as directors of development authorities as long as their business is located in the county or municipality and they pay taxes there. The bill describes the method a governing authority will use to remove and replace a director, if necessary.

**Authored By:** Rep. Rhonda Burnough (77th)  
**House Committee:** Governmental Affairs  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

### HB 315 Local government; certain agreements from consultants who enter into contracts or arrangements to prepare or develop requirements for bids; provide

**Bill Summary:** House Bill 315 creates a new Code section which outlines the agreement that counties, municipalities, and other local governmental entities must enter into with consultants. The consultant will avoid any appearance of impropriety, disclose any potential conflicts of interest, and acknowledge that violation of the agreement entitles the governmental entity to seek injunctive relief. This Code section does not apply to any development authority or to economic development

activities that are confidential under O.C.G.A. 50-18-4. Unless disclosed as part of the bid, the person who developed the specifications for a particular bid or proposal may not submit a bid for the proposal.

**Authored By:** Rep. Mark Newton (123rd)  
**House Committee:** Governmental Affairs  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

**HB 349 Local government; counties to exercise powers in incorporated areas; authorize**

Bill Summary: House Bill 349 expands the definition of "area of operation" to include the county territory which lies within the corporate limits of a municipality.

**Authored By:** Rep. Chuck Martin (49th)  
**House Committee:** Governmental Affairs  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

**HB 388 Local government; funding a development project's proportionate share of system improvement when such development project is exempt from development impact fees and such project creates affordable housing; exempt counties and municipalities**

Bill Summary: House Bill 388 provides that development impact fees may be waived for municipal or county development projects that create affordable housing.

**Authored By:** Rep. Deborah Silcox (52nd)  
**House Committee:** Governmental Affairs  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

**HB 392 Board of Public Safety; expense allowance and travel cost reimbursement for members in like fashion as other state boards and commissions; provide**

Bill Summary: House Bill 392 adds the Board of Public Safety to the list of boards and commissions whose members are eligible to receive an expense allowance and travel reimbursement.

**Authored By:** Rep. Marcus Wiedower (119th)  
**House Committee:** Governmental Affairs  
**Committee Action:** 03-05-2019 Do Pass

**HB 466 Elections; clerks of state courts and clerks of superior courts; provide nonpartisan elections**

Bill Summary: House Bill 466 adds the offices of clerk of a superior court and clerk of a state court to the list of offices that participate in nonpartisan elections.

**Authored By:** Rep. John Carson (46th)  
**House Committee:** Governmental Affairs  
**Committee Action:** 03-05-2019 Do Pass

**HB 467 Cobb County; clerk of the Superior Court; provide nonpartisan elections**

Bill Summary: House Bill 467 specifies that elections for the office of clerk of Cobb County Superior Court will be nonpartisan. The bill will not impact the current term of the sitting clerk of the Cobb County Superior Court, but will apply in all future elections.

**Authored By:** Rep. John Carson (46th)  
**House Committee:** Governmental Affairs  
**Committee Action:** 03-05-2019 Do Pass

**HB 468 Cobb County; clerk of the State Court; provide nonpartisan elections**

Bill Summary: House Bill 468 specifies that elections for the office of clerk of the Cobb County State Court will be nonpartisan. The bill will not impact the current term of the sitting clerk of the Cobb County State Court, but will apply in all future elections.

<b>Authored By:</b>	Rep. John Carson (46th)	<b>Committee</b>	03-05-2019 Do Pass
<b>House Committee:</b>	Governmental Affairs	<b>Action:</b>	

**Health & Human Services Committee****HB 10 Education; instruction on the best practices for and risks associated with the use of tampons; provide**

Bill Summary: House Bill 10 requires that each local board of education add instruction relating to best practices for and risks associated with the use of tampons, as well as toxic shock syndrome (TSS), to current sex education, and human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) prevention curriculum. Additionally, this bill encourages physicians and nurses, who provide a tampon for use by any female patient, to recite and provide written information to the female patients regarding TSS.

<b>Authored By:</b>	Rep. Debra Bazemore (63rd)	<b>Committee</b>	03-05-2019 Do Pass by Committee
<b>House Committee:</b>	Health & Human Services	<b>Action:</b>	Substitute

**HB 214 Vaccine protocol agreements; geographic limitation on pharmacists; remove**

Bill Summary: House Bill 214 amends Title 43, relating to vaccine protocol agreements, by removing the geographic limitation on pharmacists.

<b>Authored By:</b>	Rep. Ron Stephens (164th)	<b>Committee</b>	03-05-2019 Do Pass by Committee
<b>House Committee:</b>	Health & Human Services	<b>Action:</b>	Substitute

**HB 264 Public officials' conduct and lobbyist disclosure; persons promoting or opposing any matter regarding the EMSC Program are subject to transparency and lobbyist disclosure laws; provide**

Bill Summary: House Bill 264 amends Article 4 of Chapter 5 of Title 21, relating to public officials' conduct and lobbyist disclosure, by requiring that any person who promotes or opposes matters before a local coordinating entity regarding the Emergency Medical Systems Communications (EMSC) Program is subject to transparency and lobbyist disclosure laws.

Additionally, this bill amends Chapter 11 of Title 31, relating to emergency medical services, by adding new administrative requirements regarding members and chairpersons of local coordinating entities.

House Bill 264 adds new procedural requirements for the proposal of modifying territorial zones and methods of distributing calls among ambulance providers participating in the EMSC Program. These requirements include the establishment of a committee to conduct hearings about the proposal, submission of results of the hearing to the local coordinating entity, and the allowance of public hearings for ambulance providers that originally submitted the proposal.

Furthermore, this bill establishes new accountability standards for ambulance providers in each health district. On and after July 1, 2019, each ambulance provider will submit a monthly report regarding these accountability standards. If an ambulance provider does not meet its accountability standards pursuant to Code Section 31-11-6 for two consecutive months, the local coordinating

council may authorize up to two additional ambulance providers to answer 9-1-1 calls in the territorial zone on a rotating basis. If the accountability standards are not met for three consecutive months, the local coordinating entity will reopen the territorial zone for proposals for new ambulance providers.

**Authored By:** Rep. William Werkheiser (157th)  
**House Committee:** Health & Human Services  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

**HB 370 Professions and businesses; number of advanced practice registered nurses with which a delegating physician can enter into a protocol agreement for nurses practicing in an emergency medical services system; revise exception**

Bill Summary: House Bill 370 amends Code Section 43-34-25 by allowing advanced practice registered nurses to order up to a 14 day supply of nonnarcotic drugs in an emergency situation.

**Authored By:** Rep. Sharon Cooper (43rd)  
**House Committee:** Health & Human Services  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

**HR 259 Johnny Tolbert III House Study Committee on Heat-Related Injuries, Cardiac Injuries, and other Sports-Related Injuries; create**

Bill Summary: House Resolution 259 establishes the 'Johnny Tolbert III House Study Committee on Heat-Related Injuries, Cardiac Injuries, and Other Sports-Related Injuries'. This committee will be composed of five members of the House, appointed by the speaker, and be abolished on December 1, 2019.

**Authored By:** Rep. William Boddie (62nd)  
**House Committee:** Health & Human Services  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

## Intragovernmental Coordination - Local Committee

**HB 272 Chamblee, City of; ad valorem tax; certain residents under 65 years of age; increase homestead exemption amount**

Bill Summary: This bill increases a city of Chamblee homestead exemption from \$30,000 to \$50,000 for those under the age of 65.

**Authored By:** Rep. Scott Holcomb (81st)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 03-05-2019 Do Pass

**HB 273 Chamblee, City of; ad valorem tax; residents 65 years of age or older or who are totally disabled; revise homestead exemption**

Bill Summary: This bill amends a city of Chamblee homestead exemption for those 65 and older or those who are totally disabled in order to provide that the exemption does not apply for taxes levied by the city to pay interest on and to retire bonded indebtedness.

**Authored By:** Rep. Scott Holcomb (81st)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

**HB 462 Coweta County; school district ad valorem tax; raise homestead exemption amounts**

Bill Summary: This bill amends a Coweta County school district homestead exemption by raising the exemption amounts. Each resident who is 65 years of age but less than 71 years of age shall be granted a \$60,000 exemption. Each resident who is 71 years of age but less than 75 years of age is

granted an \$85,000 exemption. Each resident who is 75 years or older is granted a \$115,000 exemption.

**Authored By:** Rep. Lynn Smith (70th)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 03-05-2019 Do Pass

## Judiciary Non-Civil Committee

### HB 38 Crimes and offenses; theft; define a term

Bill Summary: HB 38 counts a plea of nolo contendere as a conviction on a fourth or subsequent offense of shoplifting.

**Authored By:** Rep. Rhonda Burnough (77th)  
**House Committee:** Judiciary Non-Civil  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

## Motor Vehicles Committee

### HB 463 Motor vehicles; issuance of a Class C driver's license to operators of certain three-wheeled motor vehicles; provide

Bill Summary: House Bill 463 changes the description of the type of three-wheeled motor vehicle that a driver with a Class C driver's license is permitted to drive. The description is changed from a three-wheeled vehicle that is equipped with a steering wheel to a three-wheeled vehicle that has seat belts and a frame to partially or fully enclose the driver. The bill exempts drivers of three-wheeled vehicles from headgear and eye-protective requirements.

**Authored By:** Rep. Martin Momtahan (17th)  
**House Committee:** Motor Vehicles  
**Committee Action:** 03-05-2019 Do Pass

### HB 554 Motor vehicles; filing of certificates of titles by dealers; provide

Bill Summary: House Bill 554 provides that applications for certificates of title by a motor vehicle dealer may be submitted electronically, but electronic submission is not required.

**Authored By:** Rep. Jason Ridley (6th)  
**House Committee:** Motor Vehicles  
**Committee Action:** 03-05-2019 Do Pass

## Natural Resources & Environment Committee

### HB 220 Solid waste management; certain solid waste disposal surcharges; extend sunset date

Bill Summary: House Bill 220 changes sunset dates, effective dates, and fees related to the Solid Waste Trust Fund and Hazardous Waste Trust Fund.

The sunset date for tire disposal fees related to the Solid Waste Trust Fund is changed to June 30, 2022. Effective July 1, 2020, the replacement tire fee is decreased from \$1 to \$0.38.

The sunset date for both the collection of surcharges per ton of solid waste and the fees collected for hazardous waste management related to the Hazardous Waste Trust Fund is changed to July 1,

2022. Effective July 1, 2020, the per ton surcharge on solid waste disposal is changed from \$0.75 per ton to \$0.51 per ton.

**Authored By:** Rep. Terry Rogers (10th)  
**House Committee:** Natural Resources & Environment  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

### **HB 382 Outdoor stewardship; eligible applicants for and recipients of the grants; redefine**

**Bill Summary:** House Bill 382 aligns the language concerning qualified local governments or recreation boards regarding the Georgia Outdoor Stewardship Trust Fund with the rules and regulations of the Department of Natural Resources. It states that no more than five percent of all funds received by the Georgia Outdoor Stewardship Trust Fund may be used to administer the program.

**Authored By:** Rep. Jon Burns (159th)  
**House Committee:** Natural Resources & Environment  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

### **HB 458 Fire protection and safety; use of class B fire-fighting foam for testing purposes if such foam contains a certain class of fluorinated organic chemicals; prohibit**

**Bill Summary:** House Bill 458 prohibits the use of per- and polyfluoroalkyl substances (PFAS) in class B firefighting foam during training, unless it is used at a training facility capable of preventing the release of the foam into the environment. The bill does not restrict the use of foam containing PFAS for fire-fighting operations.

**Authored By:** Rep. Joseph Gullett (19th)  
**House Committee:** Natural Resources & Environment  
**Committee Action:** 03-05-2019 Do Pass

## **Transportation Committee**

### **HB 511 Highways, bridges, and ferries; funding sources and a consolidated state entity for the planning and implementation of mobility and transit services; provisions**

**Bill Summary:** House Bill 511 creates the Department of Mobility and Innovation to govern and coordinate transit services across the state. This governance structure employs the establishment of mobility zones and mobility managers. The department will absorb the functions related to the administration, implementation, or coordination of transit services and all federal and state funding relating to those functions that are currently assigned to the Department of Transportation, the Department of Human Services, the Department of Behavioral Health and Developmental Disabilities, and the Department of Community Health.

The legislation establishes a fee on ride-share services to be used for transit and transit projects as well as a pilot program for incentives to employers who provide a transit benefit to new employees. House Bill 511 abolishes the Georgia Regional Transportation Authority and transfers employees of the authority to the department. The State Road and Tollway Authority will continue to perform the same functions, but will be administratively attached to the Department of Mobility and Innovation. Additionally, the Atlanta-region Transit Link (ATL) will also be administratively attached to the department.

**Authored By:** Rep. Kevin Tanner (9th)  
**House Committee:** Transportation  
**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

## Ways & Means Committee

### HB 378 Revenue and taxation; collection and remittance of excise taxes on rental motor vehicles by marketplace facilitators that are dealers that facilitate the rental or lease of five or more rental motor vehicles; require

**Bill Summary:** House Bill 378 amends multiple Code sections, relating to the taxation of rental motor vehicles. The bill defines the terms "rental motor vehicle marketplace facilitator" and "rental motor vehicle marketplace owner", as well as expands the definition of "dealer" to require rental motor vehicle marketplace facilitators to collect and remit sales and excise taxes on behalf of the rental motor vehicle marketplace owners.

A "rental motor vehicle marketplace facilitator" is a person that contracts with the owner of a motor vehicle to make available or facilitate the rental of such motor vehicle on the owner's behalf. This includes promoting, marketing, advertising, taking orders or reservations for, providing the physical or electronic infrastructure that brings purchasers and owners of motor vehicles together for, or otherwise assisting the marketplace seller in making such rental and collecting, charging, processing, or otherwise facilitating payment for such rental on behalf of the rental motor vehicle marketplace owner.

A "rental motor vehicle marketplace owner" is a person that conducts rental of a motor vehicle through or facilitated by any physical or electronic marketplace or platform operated by a rental motor vehicle marketplace facilitator.

The definition of "dealer" is expanded to include rental motor vehicle marketplace facilitators who facilitate the rental of a motor vehicle if the sales price of all rentals, including rentals from rental motor vehicle marketplace owners and the rental motor vehicle marketplace facilitator itself, exceeds \$100,000 in the previous or current calendar year.

<b>Authored By:</b>	Rep. Bruce Williamson (115th)	<b>Committee</b>	03-05-2019 Do Pass by Committee
<b>House</b>	Ways & Means	<b>Action:</b>	Substitute
<b>Committee:</b>			

### HB 405 Revenue and taxation; Level 1 Freeport Exemption; modify provisions

**Bill Summary:** House Bill 405 amends O.C.G.A. 48-5-48.2, relating to the level 1 freeport exemption, by allowing raw materials held by a taxpayer's affiliate to be considered for the Freeport exemption and by allowing remanufacturing to be considered to be part of the ordinary course of manufacturing.

<b>Authored By:</b>	Rep. David Knight (130th)	<b>Committee</b>	03-05-2019 Do Pass
<b>House</b>	Ways & Means	<b>Action:</b>	
<b>Committee:</b>			

### HB 448 Excise tax; rooms, lodgings, and accommodations; revise definition of innkeeper to include lodging facilitators

**Bill Summary:** House Bill 448 amends Article 3 of Chapter 13 or Title 48, relating to excise tax on rooms, lodgings, and accommodations, by adding the term "lodging facilitator" and incorporating lodging facilitators into the definition of innkeeper.

A lodging facilitator is a person that contracts with a one or more persons to make available or facilitate the furnishing for value any accommodations in this state on behalf of another person. This includes promoting, marketing, advertising, taking orders or reservations for, providing the physical or electronic infrastructure that brings purchasers and marketplace sellers together for, or otherwise assisting the owner of the accommodations in making retail sales and collecting, charging, processing, or otherwise facilitating payment for the retail sales on behalf of the marketplace seller. The total value of all charges of accommodations in this state, for a lodging facilitator, must meet or exceed \$100,000 in aggregate during the current or previous calendar year.

By being incorporated into the definition of "innkeeper," the lodging facilitators are responsible for collecting and remitting the excise tax of five dollars per night found in O.C.G.A. 48-13-50.3 as well as any county or municipality hotel/motel excise tax found in O.C.G.A. 48-13-51. The bill specifically states that a lodging facilitator shall not act as an innkeeper for a person that meets the definition of innkeeper.

**Authored By:** Rep. Matt Dollar (45th)  
**House Committee:** Ways & Means

**Committee Action:** 03-05-2019 Do Pass by Committee Substitute

## 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](#).*

### Wednesday, March 06, 2019

8:00 AM	<a href="#">INSURANCE</a>	606 CLOB
8:00 AM	<a href="#">AGRICULTURE AND CONSUMER AFFAIRS</a>	403 CAP
9:00 AM	<a href="#">Reeves Subcommittee of Judiciary (Non-Civil)</a>	415 CLOB
10:00 AM	<a href="#">Setzler Subcommittee of Judiciary (Non-Civil)</a>	415 CLOB
11:00 AM	<a href="#">JUDICIARY (NON-CIVIL)</a>	415 CLOB
1:00 PM	<a href="#">RULES</a>	341 CAP
2:30 PM	<a href="#">JUVENILE JUSTICE</a>	515 CLOB
3:00 PM	<a href="#">HEALTH &amp; HUMAN SERVICES</a>	606 CLOB
3:00 PM	<a href="#">INDUSTRY AND LABOR</a>	506 CLOB