



Georgia

HOUSE OF REPRESENTATIVES

Thursday
March 14,
2019

DAILY REPORT

32nd
Legislative
Day

House Budget & Research Office
(404) 656-5050

- The House will reconvene for its 33rd Legislative Day on Monday, March 18 at 10:00 a.m.

Today on the Floor

Motions to Agree

HB 316 Elections; definitions; provide for uniform equipment and ballot marking devices

Bill Summary: House Bill 316 impacts several Code chapters and sections relating to elections and provides a new voting system for the state. Section 2 of the bill removes "direct recording electronic (DRE)" in the description of the voting systems used by the state. Throughout the bill, "optical scanner," "tabulator," and "optical scanning tabulator" are replaced with "ballot scanner." Throughout the bill, "or electronic ballot markers" is added to every reference to DRE voting units in several different Code sections. Also throughout the bill, "electronic ballot marker" is added in various Code sections as a type of voting machine.

Section 3 adds a new Code section which establishes that an independent candidate for president or vice president must file with the Georgia secretary of state a slate of candidates for the office of presidential elector, no later than the Friday before qualifying begins.

Section 4 replaces "notice of candidacy" with "nomination petition" for what a presidential elector nominee must submit with a certified copy of the minutes of a convention.

Section 5 prohibits a person from voting if they are not at least 18 years of age on or before the election date.

Section 6 provides that if a person's registration application information does not match the information on file with the Department of Driver Services or the federal Social Security Administration, the applicant is still considered registered to vote but will be required to provide proof of their identity the first time that they request a ballot for any federal, state, or local election.

Section 7 permits the secretary of state to become a member of an information-sharing non-governmental entity in order to improve the accuracy of voter registration systems. The Department of Driver Services will provide driver's license and identification card information to the secretary of state in order to exchange voter registration information with the nongovernmental entity.

Section 8 removes a reference to a DRE unit from a provision regarding challenging a person on a list of electors.

Section 9 directs the secretary of state to send a list of persons convicted of a felony in this state and a list of persons convicted of a felony in federal court to the appropriate county board of registrars. The county board of registrars will mail a notice to each listed person notifying them of their removal from the list of electors, allowing a 30-day time period for the recipient to request a hearing on the removal.

Section 10 requires that when an elector moves to a new state and the registration officials of that state send notice of cancellation, a confirmation notice must be sent to the elector unless an elector-

signed copy of the elector's new voter registration application is included with the notice of cancellation.

Section 11 adds not using an absentee ballot to the list of reasons an elector can be labeled "no contact." When assessing if an elector is "no contact," the time period is changed from three years of inactivity to five years of inactivity.

Section 12 requires that an elector will remain on the inactive list of electors until the day after the second general election that takes place while they are on the list. After that time, if no contact is made, the elector will be removed from the list. Between 30 days and 60 days prior to the elector's removal from the list, notice must be sent to notify the elector.

Sections 13 and 14 require the superintendent to provide 30-day's notice of a precinct alteration; such notice shall also be submitted to the secretary of state. Unless there is an emergency, a polling place cannot be changed: on the day of a primary, election, or runoff; during the 60 days prior to a general primary or general election; or during the 30 days prior to a special primary or special election.

Section 16 provides that the secretary of state will prescribe the design of the ballots printed by an electronic ballot marker to ensure ease of reading by electors.

Section 18 establishes that as soon as possible, all federal, state, and county elections in the state of Georgia will be conducted with the use of scanning ballots marked by electronic ballot markers and tabulated by using ballot scanners. Additionally, the electronic ballot markers must produce paper ballots which are marked with the elector's choices in a format that is readable by the elector. For each county, the state will furnish uniform equipment which has been certified by the United States Election Assistance Commission. Counties may acquire additional equipment of the same type at their own expense. Municipalities may acquire their own voting equipment of the same type at their own expense.

Section 20 requires that there must be one voting booth or enclosure for every 250 electors in precincts which use optical scanning voting systems.

Section 22 requires that ballots must be of a suitable design and construction to allow processing by a ballot scanner.

Section 24 requires the election superintendent to prominently post signs reminding electors to verify their ballot choices before inserting their ballot into the ballot scanner and that sample ballots are available upon request.

Section 26 adds a new Part to Title 21 Article 9 relating to voting machines. Each polling place which uses optical scanning voting systems must have at least one electronic ballot marker that is accessible to disabled individuals. Electronic ballot markers must not be used unless they meet a list of standard requirements. Provides specific guidelines for the appearance and information included on a ballot printed by an electronic ballot marker. The paper ballot printed by the electronic ballot marker will be considered the official ballot and will be used in any recount or audit conducted after the election. The secretary of state will examine and certify electronic ballot markers before they are used in an election. Any ten or more electors of this state may request the secretary of state to reexamine a device that was previously examined and approved. If a vendor sells an electronic ballot marker that has not been approved by the secretary of state, they will be subject to a penalty of \$100,000. The superintendent of each county or municipality will ensure the following: that the proper ballot is programmed for each electronic ballot marker; each device is in proper working order; and that each device is examined and verified before being sent to a polling place for an election. The superintendent may appoint a custodian and deputy custodians of the electronic ballot markers who are responsible for preparing the devices for election. On or before the third day preceding an election, the superintendent will test each electronic ballot marker to ensure proper working order. These tests are open to the public and must be noticed at least five days prior. When the electronic ballot markers are not in use, the superintendent is responsible for their safe storage.

Section 27 allows absentee ballots to be sent to an address other than the permanent mailing address if the elector is in jail in the county or municipality. Removes a reference to a DRE voting system. An absentee ballot application will not be rejected due to lack of signature matching. If the signature on file does not match with the signature on the application, the board of registrars or absentee ballot clerk will send a provisional absentee ballot, along with instructions on how to correct the signature discrepancy. If the ballot is returned prior to the closing of the polls on the day of the election and the signature discrepancy is corrected before the end of the period for verifying provisional ballots, the provisional ballot will be counted. If the board of registrars or absentee ballot clerk does not find the signature discrepancy corrected, the ballot will be rejected.

Section 28 adds polling places to the list of places that can serve as registrar's offices or places to receive absentee ballots.

Section 29 provides that in jurisdictions where electronic ballot markers are used on election day, the electronic ballot markers will be used to cast absentee ballots in person at a registrar's or absentee ballot clerk's office.

Section 30 removes references to an elector's residence address and year of birth on the oath of the elector which accompanies the absentee ballot that is mailed to the elector. The Oath of Person Assisting Elector is amended so that the person providing assistance does not list their relationship to the elector. The addition of the signer's printed name is added to both oaths. Additionally, language is removed from the Oath of Person Assisting Elector which prohibits a person from assisting more than 10 electors in any election. It replaces "42 U.S.C. Section 1973ff" with "52 U.S.C. Section 20302" in two places regarding the transmission of absentee ballots to members of the military.

Section 31 provides that the absentee ballot of a disabled elector may be mailed or delivered by a relative or a caregiver. The absentee ballot of an elector in jail may be mailed or delivered by a jail employee. A disabled or illiterate elector may receive ballot assistance from any person of their choice other than the following: the elector's employer, the elector's union representative, a candidate on the ballot, or a relative of a candidate on the ballot. The section removes the prohibition of a person assisting more than 10 electors in any one election. The time period for early voting for a run-off election is set as no later than the second Monday immediately prior to the run-off.

Section 32 requires that if an absentee ballot is rejected, the elector must be notified and is given until the end of the period for verifying provisional ballots to address the problem that resulted in ballot rejection. If the elector cures the issues before the end of the time period, the ballot will be approved by the board of registrars or absentee ballot clerk and counted. If an absentee ballot is submitted without identification verification, the board of registrars or absentee ballot clerk must promptly notify the elector and provide instructions on addressing the issue. The ballot will be considered provisional until the issue is addressed, at which time it will be counted.

Section 33 provides that if an absentee voter has not yet returned their ballot, they can have their absentee ballot canceled and vote in person on election day. If the absentee ballot is not surrendered to the poll manager, the elector must destroy the ballot after casting his or her vote in person.

Section 34 provides that any elector who is entitled to receive voting assistance in any election may receive assistance from any person of the elector's choice, other than the following: the elector's employer; the elector's union representative; a candidate on the ballot; or a relative of a candidate on the ballot. Notice of the availability of assistance must be prominently posted at each polling place.

Section 36 provides that a Georgia voter identification card will remain valid as long as the elector resides in the same county. If the elector moves to a new county, the voter identification card must be surrendered to the board of registrars in the new county of residence.

Section 37 requires that as soon as possible after a provisional ballot is cast, the election superintendent must notify the secretary of state with all pertinent information regarding the provisional ballot.

Section 38 requires that when reviewing provisional ballots, the board of registrars must make a good faith effort to determine if the ballot is valid. This section expounds on what a "good faith effort" means. As soon as possible after a determination is made regarding a provisional ballot, the board of registrars must notify the impacted electors.

Section 40 requires that the superintendent must certify election returns no later than 5:00 p.m. on the second Friday following the election. The secretary of state may extend the time limit if necessary to complete a precertification audit.

Section 41 provides that when the difference in votes received by the declared winner and one or more other candidates is less than one-half of one percent of the total votes cast, the losing candidate has two business days from the time of certification to request, in writing, a recount. When the difference in votes for approval or rejection of a constitutional amendment is less than one-half of one percent of the total votes cast, the Constitutional Amendments Publication Board has two business days from the time of certification to request a recount. The State Election Board is authorized to regulate and administer such recounts.

Section 42 requires that as soon as possible, but no later than the November 2020 general election, the local election superintendents will conduct precertification audits for any federal or state general election, based on requirements set by the State Election Board. The audit must be completed prior to the final certification of results and the results must be available to the public within 48 hours of completion. The secretary of state must conduct a risk-limiting audit pilot program by December 31, 2021.

Section 43 increases the amount of time that the secretary of state and governor are given to certify the votes for presidential electors by three days, and Sections 44 and 49 prohibit a person or a poll worker from tampering with an "electronic ballot marker."

Authored By: Rep. Barry Fleming (121st) **Rule Applied:** Modified-Structured
Motions to Agree: *(A motion to agree represents final passage of the bill.)*

Rules Calendar

HR 403 **Owners and operators of convenience stores; easy access to disabled customers desiring to refuel their vehicles; urge**

Bill Summary: HR 403 urges owners and operators of convenience stores to provide easy access to disabled customers who are refueling their vehicles. The resolution recognizes that the 'Americans with Disabilities Act' (ADA) states that self-service gas stations or convenience stores provide refueling services free of charge when able and necessary and that these facilities are to post appropriate signs to let customers know this service is available. The resolution urges gas stations and convenience stores to affix a decal to each pump displaying the universal symbol of accessibility, the telephone number of the establishment, and indicate the ability to call the store for assistance in refueling.

Authored By: Rep. Henry "Wayne" Howard (124th) **Rule Applied:** Modified-Open
House Committee: Human Relations & Aging **Committee Action:** 03-04-2019 Do Pass
Floor Vote: Yeas: 166 Nays: 0 **Amendments:**
Floor Action: Adopted (Resolution)

SB 8 **Specialty License Plate; benefit the Atlanta United Foundation; establish**

Bill Summary: Senate Bill 8 creates a specialty license plate supporting the Atlanta United Foundation.

Authored By: Sen. P. K. Martin (9th) **Rule Applied:** Modified-Open
House Committee: Motor Vehicles **Committee Action:** 03-12-2019 Do Pass
Floor Vote: Yeas: 163 Nays: 0 **Amendments:**

SB 16 "Interstate Medical Licensure Compact Act"

Bill Summary: Senate Bill 16 authorizes the Georgia Composite Medical Board to administer the 'Interstate Medical Licensure Compact Act'. This bill allows physicians to become licensed in multiple states and creates another pathway for licensure that does not otherwise change a state's existing Medical Practice Board. Additionally, the bill adopts the prevailing standard for licensure and affirms that the physician must be under the jurisdiction of the state medical board where the patient is located. State medical boards that participate in the compact retain the jurisdiction to impose an adverse action against a license to practice medicine in that state issued to physician through the procedures in the compact.

Senate Bill 16 also adds that an applicant who submits an application to the board for licensure, certification, or permit agrees to provide the board with any and all information necessary to run a criminal background check, including, but not limited to, a classifiable set of fingerprints.

Authored By:	Sen. Kay Kirkpatrick (32nd)	Rule Applied:	Modified-Structured
House Committee:	Health & Human Services	Committee Action:	03-12-2019 Do Pass
Floor Vote:	Yeas: 164 Nays: 1	Amendments:	

SB 18 "Direct Primary Care Act"

Bill Summary: Senate Bill 18 is known as the 'Direct Primary Care Act.' The bill provides that a direct primary care agreement is not insurance and is not subject to state insurance laws. A physician offering, marketing, selling, or entering into a direct primary care agreement is not required to obtain a certificate of authority or license other than to maintain a current license to practice medicine in Georgia.

Additionally, a physician providing health care services under a direct care primary agreement may decline to accept a patient if the provider is unable to provide the appropriate level and type of health care services needed by the patient.

Furthermore, a physician may discontinue care for a patient under the direct primary care agreement if the physician or the physician's medical practice discontinues operation as a direct primary care practice or if the patient: fails to pay the periodic fee or any additional fees specified by the agreement; performs an act of fraud; or presents an emotional or physical danger to staff or other patients.

Authored By:	Sen. Kay Kirkpatrick (32nd)	Rule Applied:	Modified-Structured
House Committee:	Insurance	Committee Action:	03-13-2019 Do Pass
Floor Vote:	Yeas: 155 Nays: 4	Amendments:	

SB 73 Peace Officers' Annuity and Benefit Fund; fees collected in criminal and quasi-criminal cases prior to adjudication of guilt; provide

Bill Summary: SB 73 clarifies the clerk of court is responsible for remitting the \$5 fee collected from offenders for the purpose of pretrial diversion to the secretary-treasurer of the Peace Officers' Annuity and Benefit Fund. The Department of Audits and Accounts has certified SB 73 as a non-fiscal retirement bill.

Authored By:	Sen. Tyler Harper (7th)	Rule Applied:	Modified-Structured
House Committee:	Retirement	Committee Action:	03-12-2019 Do Pass
Floor Vote:	Yeas: 159 Nays: 2	Amendments:	

SB 80 Georgia Music Hall of Fame Authority; expired provisions; issuance and review of requests for proposals for a new location, ownership; remove

Bill Summary: SB 80 removes obsolete provisions in reference to the joint operations of the Georgia Music Hall of Fame and the Georgia Sports Hall of Fame. The bill adds language to allow

state funds to be appropriated to the Georgia Sports Hall of Fame to be used to increase its exposure as well as to protect and display artifacts of historical significance.

Authored By:	Sen. David Lucas (26th)	Rule Applied:	Modified-Open
House Committee:	Economic Development & Tourism	Committee Action:	03-12-2019 Do Pass
Floor Vote:	Yeas: 158 Nays: 7	Amendments:	

Local Calendar

HB 594 Waverly Hall, Town of; Municipal Court; authorize assessment and collection of a technology fee

Bill Summary: This bill authorizes the assessment and collection of a technology fee by the municipal court of the town of Waverly Hall.

Authored By:	Rep. Debbie Buckner (137th)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-13-2019 Do Pass
Floor Vote:	Yeas: 154 Nays: 0	Amendments:	

SB 87 Toombs County Development Authority; qualifications of members of said authority; provide

Bill Summary: This bill provides for the qualifications of the members of the Toombs County Development Authority.

Authored By:	Sen. Blake Tillery (19th)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-13-2019 Do Pass
Floor Vote:	Yeas: 154 Nays: 0	Amendments:	

Committee Actions

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

Intragovernmental Coordination - Local Committee

HB 596 Washington County; State Court; authorize assessment and collection of a technology fee

Bill Summary: House Bill 596 authorizes the Washington County State Court to assess and collect a technology fee.

Author By:	Rep. Mack Jackson (128th)		
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-14-2019 Do Pass

HB 597 Sparks, City of; provide new charter

Bill Summary: House Bill 597 provides a new charter for the city of Sparks.

Author By:	Rep. Penny Houston (170th)		
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-14-2019 Do Pass

HB 598 Harlem, City of; change corporate boundaries

Bill Summary: House Bill 598 changes the corporate boundaries of the city of Harlem.

Author By:	Rep. Barry Fleming (121st)		
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-14-2019 Do Pass

HB 600 Monroe County; Board of Commissioners; provide for the removal of the duties of disbursements

Bill Summary: House Bill 600 provides for the oath of office for the Monroe County Board of Commissioners and provides for removal proceedings for malfeasance, misfeasance, or nonfeasance, as well as incompetence or neglect of duty.

Author By:	Rep. Robert Dickey (140th)		
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-14-2019 Do Pass

HB 601 Statham, City of; governing organization; revise provisions

Bill Summary: House Bill 601 revises provisions governing organization of the city of Statham government.

Author By:	Rep. Terry England (116th)		
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-14-2019 Do Pass

HB 603 Floyd County; Board of Education; provide for compensation of members

Bill Summary: House Bill 603 provides for the compensation of the Floyd County Board of Education.

Author By:	Rep. Katie Dempsey (13th)		
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-14-2019 Do Pass

Judiciary Committee

SB 97 Self-Service Storage Facilities; limit fees charged and collected by self-service storage facilities for the late payment of rent; provide

Bill Summary: Senate Bill 97 updates and revises the regulations regarding self-service storage facilities. In addition to modernizing statutory language and updating definitions, the bill allows the owner of a self-service storage facility to charge and collect a fee from an occupant for the late payment of rent pursuant to the terms of a rental agreement. The bill mandates that this fee shall be no more than \$20 per month for each month there is a late payment or 20 percent of the monthly rent for each month there is a late payment, whichever is greater. The bill allows owners to obtain a lien against occupants who are delinquent in the payment of these fees. Additionally, persons cannot use a self-service storage facility for residential purposes, and the bond required for public warehousemen does not apply to any owner of a self-service storage facility. The bill also sets an effective date of July 1, 2019 for rental agreements entered into or extended after that date.

Author(s):	Sen. Jesse Stone (23rd)	Committee	03-14-2019 Do Pass
House	Judiciary	Action:	
Committee:			

Judiciary Non-Civil Committee

SB 1 "C.J.'s Law"; penalty for hit and run accidents that result in serious injury; provide

Bill Summary: SB 1, titled 'C.J.'s Law', refines the Code regarding the crime of serious injury by vehicle. The bill adds those who, without malice aforethought, leave the scene of a vehicular accident that results in serious bodily injury. This crime is punished as a felony, with a term of imprisonment for not less than one year nor more than 10 years.

Author(s):	Sen. Elena Parent (42nd)	Committee	03-14-2019 Do Pass
House	Judiciary Non-Civil	Action:	
Committee:			

SB 121 Prescription Drug Monitoring Program Data Base; length of time prescription information is retained from two years to five years; increase

Bill Summary: SB 121 increases the data retention time of the prescription drug monitoring program from two to five years. In addition, the bill adds the attorney general's Medicaid Fraud Control Unit to the list of entities that can have access to the data through the issuance of an administrative subpoena.

Author(s):	Sen. Larry Walker III (20th)	Committee	03-14-2019 Do Pass
House	Judiciary Non-Civil	Action:	
Committee:			

Transportation Committee

SB 79 Outdoor Advertising; references to the term "mechanical" in relation to multiple message signs; remove

Bill Summary: Senate Bill 79 removes the references to the term "mechanical" in relation to the multiple message sign restrictions in the outdoor advertising Code section.

Author(s):	Sen. Steve Gooch (51st)	Committee	03-14-2019 Do Pass by Committee
House	Transportation	Action:	Substitute
Committee:			

SR 19 Georgia Commission on Freight and Logistics; create

Bill Summary: Senate Resolution 19 creates the Georgia Commission on Freight and Logistics. The commission is composed of 22 members: three members of the House appointed by the speaker and three members of the Senate by the lieutenant governor, to include the chairs of the House and Senate Transportation committees; six representatives of entities which provide freight and logistics services, possess expertise in the operations of a major airport hub, or lead a major commodity or lead a major commodity shipper, major air shipping provider, or major manufacturing operation based in this state. Three of these industry representatives are appointed by the speaker and three by the lieutenant governor; four members who each serve as a local government official, two appointed by the speaker and two appointed by the lieutenant governor; the executive director of the Georgia Municipal Association; the executive director of the Association County Commissioners of Georgia; the president of the Georgia Chamber of Commerce; the president of the Metro Atlanta Chamber of Commerce; and the commissioner of transportation and the executive director of the Georgia Ports Authority as ex-officio members.

The charge of the commission is to study and determine the best course of action with regard to funding and policy development relating to freight and logistics to ensure growth and support of this industry.

Authored By: Sen. Brandon Beach (21st)
House Committee: Transportation

Committee Action: 03-14-2019 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 and click on [Meetings Calendar](#).

Friday, March 15, 2019

There are currently no meetings scheduled.

Monday, March 18, 2019

8:00 AM [INSURANCE](#) 606 CLOB

Tuesday, March 19, 2019

8:00 AM [MOTOR VEHICLES](#) 515 CLOB

1:00 PM [Environmental Quality Subcommittee of Natural Resources and Environment](#) 341 CAP

2:00 PM [Resource Management Subcommittee of Natural Resources and Environment](#) 341 CAP

3:00 PM [ENERGY, UTILITIES AND TELECOMMUNICATIONS](#) 403 CAP