



# Georgia

## HOUSE OF REPRESENTATIVES

Tuesday  
March 6,  
2018

# DAILY REPORT

House Budget & Research Office  
(404) 656-5050

House Media Services  
(404) 656-0309

- The House will reconvene for its 31st Legislative Day on Wednesday, March 7 at 10:00 a.m.
- The Rules committee will meet at 9:00 a.m.
- 2 bills / resolutions are expected to be debated on the floor.

## Committee Actions

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

### Economic Development & Tourism Committee

#### SB 395 Georgia Joint Defense Commission; create

**Bill Summary:** SB 395 creates the Georgia Joint Defense Commission. This commission consists of the chairpersons of the House Committee on Defense and Veterans Affairs and the Senate Veterans Military and Homeland Security Committee; the chairpersons of the House Committee on Economic Development and Tourism and the Senate Economic Development and Tourism Committee; two members of the House of Representatives appointed by the speaker of the House of Representatives, two members of the Senate appointed by the lieutenant governor; one citizen member from each military installation region in the state appointed by the governor, the director of the Governor's Defense Initiative; and the commissioner of the Department of Economic Development or his/her designee. The goals of the commission are to: advise the governor and the General Assembly on defense and military issues within the state and nationally; make recommendations regarding policies and plans to support the long-term viability and development of the military; develop methods to assist defense-dependent communities in the design and execution of programs that enhance each community's relationship with military installations and defense-related business; serve as a task force to seek advice on and prepare for potential base realignment or closure of military installations in the state; develop and implement a strategic plan to navigate potential base realignment or closure of military installations studies and proceedings; and produce and distribute a detailed annual report regarding the status of the state's military installations. The Department of Economic Development will provide the administrative support staff for the commission.

**Authored By:** Sen. Ben Watson (1st)  
**House Committee:** Economic Development & Tourism  
**Committee Action:** 03-06-2018 Do Pass

#### SR 821 Cyber Security And Information Technology Innovation Corridor; recognize Augusta; Logistics Technology Innovation Corridor; recognize Savannah

**Bill Summary:** SR 821 designates the Fort Gordon Cyber Security and Information Technology Innovation Corridor and the Savannah Logistics Technology Innovation Corridor as official technology innovation corridors in the state of Georgia. These corridors directly foster the growth of information technology and innovation through local collaboration among universities, hospitals, and logistics hubs.

**Authored By:** Sen. P. K. Martin (9th)

**House Committee:** Economic Development & Tourism **Committee Action:** 03-06-2018 Do Pass

## Health & Human Services Committee

### HR 1363 United States Congress; amend Controlled Substances Act of 1970 to reclassify marijuana as a Schedule II drug; urge

Bill Summary: HR 1363 urges the United States Congress to amend the 'Controlled Substances Act of 1970' to reclassify marijuana as a Schedule II drug so that its medical benefits and effects may be researched. It further urges Congress to enact the 'Marijuana Effective Drug Study Act' (MEDS Act) if it is unwilling to reclassify marijuana.

**Authored By:** Rep. Sharon Cooper (43rd)  
**House Committee:** Health & Human Services **Committee Action:** 03-06-2018 Do Pass

### HR 1364 Georgia Legislature; broaden eligibility and increase funding for the Breast and Cervical Cancer Prevention Program; encourage

Bill Summary: HR 1364 encourages the Georgia General Assembly to broaden eligibility and increase funding for the Breast and Cervical Cancer Prevention Program within the Department of Public Health to further reduce barriers to breast screening, early detection, and treatment for underserved women.

**Authored By:** Rep. Katie Dempsey (13th)  
**House Committee:** Health & Human Services **Committee Action:** 03-06-2018 Do Pass

### HR 1375 State of Georgia; advise all public and private schools to educate students and parents about the dangers of meningococcal disease; encourage

Bill Summary: HR 1375 encourages the state to advise all private and public high schools, colleges, and universities in Georgia to provide information to all students and parents about meningococcal disease by explaining the different disease serogroups, symptoms, risks, and treatment options. Such information will also include a notice of availability, benefits, risks, and limitations of all meningococcal vaccines receiving a recommendation from the Advisory Committee on Immunization Practices with specific information as to those persons at higher risk for the disease.

**Authored By:** Rep. Katie Dempsey (13th)  
**House Committee:** Health & Human Services **Committee Action:** 03-06-2018 Do Pass

### HR 1376 House Rural Development Council; solicit input from hospitals in the state on the financial conditions of such hospitals; urge

Bill Summary: HR 1376 urges the House Rural Development Council to solicit input from the hospitals in this state on their financial condition including profitability, community benefit, cash reserves and viability projections as well as to receive recommendations from the hospital industry on legislative or regulatory changes that could ensure viability of the health care industry.

**Authored By:** Rep. Matt Hatchett (150th)  
**House Committee:** Health & Human Services **Committee Action:** 03-06-2018 Do Pass

## Judiciary Committee

### SB 301 "Revised Uniform Fiduciary Access to Digital Assets Act"; enact

Bill Summary: This bill creates new Code sections to extend a fiduciary's powers to include the management of digital assets in which an individual has a right or interest, such as e-mail accounts, cryptocurrency, and other online records. The bill applies the new Code sections to: fiduciaries

acting under a will or power of attorney; trustees; personal representatives; and conservators. The bill exempts digital assets of employers used by employees.

A user may use an "online tool", defined as an electronic service, which is provided by a "custodian", a person who receives, transmits, or maintains electronic communications of another person. The bill directs the custodian on disclosure or non-disclosure to a third party of the user's digital assets and electronic communications. If the online tool allows modification of a direction at all times, a direction from the online tool will override a direction in a will, trust, power of attorney, or other record. If the user does not use the online tool or if the custodian does not provide an online tool, the user may allow or prohibit disclosure via a will, trust, power of attorney, or other record. If the user has not provided any direction, the custodian's terms of service will control disclosure or non-disclosure. A user's direction in an online tool, will, or other written instrument overrides a contrary provision in a custodian's terms of service that does not require the user to act affirmatively and distinctly from the user's assent to such terms.

The bill also clarifies that rights of custodians and users to access digital assets under a terms of service agreement will not be impaired, nor shall a fiduciary or recipient be granted any new or expanded rights other than those available to the user. Custodians, except as otherwise directed by the user, are permitted in their sole discretion to: provide varying levels of access to fiduciaries or recipients when disclosing digital assets; assess a reasonable fee for disclosure; withhold from disclosure a digital asset deleted by the user; and object to disclosure on the basis of undue burden by seeking a court order, among other things.

When a person other than the user requests disclosure and provides the custodian with a court order, power of attorney, will of a deceased user, or other evidence of the user's consent to share the content of his electronic communications, the custodian must disclose. Additionally, the custodian must only disclose a catalogue of electronic communications sent or received by the user and digital assets, other than the content of electronic communications, if: the user did not prohibit disclosure of digital assets; an agent has specific authority over digital assets or general authority to act on behalf of a principal; or a conservator is appointed and the court grants the conservator access. In each scenario, the fiduciary must provide a written request for disclosure and a copy of the document authorizing access. Where a trustee is an original user of an account, any digital asset of the account held in trust, as well as the content and a catalogue of electronic communications, must be disclosed.

The legal duties of care, loyalty, and confidentiality to the management of tangible assets are applied to digital assets, as well as a right to access digital assets. For purposes of unauthorized computer access laws, SB 301 makes the fiduciary an authorized user if the fiduciary has authority over tangible assets. The bill clarifies that terms of service shall apply to the fiduciary, unless otherwise provided in these code sections.

Custodians must comply with properly filed requests for disclosure or termination of an account within 60-days' notice. If the custodian fails to comply, the fiduciary or designated recipient may obtain a court order. Custodians may notify the user that a request for disclosure or termination has been made and are empowered to require a court order to verify ownership of the account and consent to act. Additionally, custodians are exempt from liability for acts done in good faith and in compliance with these Code sections.

The bill also references the 'Global and National Commerce Act' and notes that these Code sections shall supersede the act except in regard to certain other provisions in federal law. Lastly, the definition of "property" is revised to include digital assets and electronic communications in Code sections relating to the powers of a conservator and cooperation with the guardian of a minor, subject matter jurisdiction, authority of a conservator of an adult and cooperation with a guardian or other interested parties, and trusts generally.

**Authored By:** Sen. John Kennedy (18th)  
**House Committee:** Judiciary

**Committee Action:** 03-06-2018 Do Pass

**SB 321 Medicaid Claims; false or fraudulent; recover the maximum penalty authorized by federal law; increase the civil penalties**

Bill Summary: This bill increases the civil penalty for Medicaid fraud from between \$5,500 and \$11,000 to between \$11,181 and \$22,363 for each false or fraudulent claim. The additional Medicaid program penalty of three times the amount of damages is retained.

**Authored By:** Sen. Blake Tillery (19th)  
**House Committee:** Judiciary  
**Committee Action:** 03-06-2018 Do Pass

**SB 431 Liability Not Limited; effect of an owner of land charging an admission price or fee; provisions; clarify**

Bill Summary: This bill amends Code sections related to premises liability. Currently, a person can bring a suit for an injury he or she suffers on an owner's land for recreational use and not leased from the state, or subdivision thereof, whenever a fee is charged to that person. Now, a suit can be brought whenever a fee is charged on the date of injury on that land, regardless if that injured person is specifically charged a fee.

**Authored By:** Sen. Blake Tillery (19th)  
**House Committee:** Judiciary  
**Committee Action:** 03-06-2018 Do Pass

**Regulated Industries Committee****SB 17 Alcoholic Beverages; provide governing authorities of counties in which the sale for consumption is lawful; authorize certain time on Sundays**

Bill Summary: SB 17, through local referendum, lowers the initial time to allow for Sunday sales of alcohol from 12:30 p.m. to 11:00 a.m. for any licensed establishment that derives at least 50 percent of annual gross sales from the sale of food or a licensed establishment that derives 50 percent of annual gross income from the rental of rooms for overnight lodging. SB 17 also provides the language for such a local referendum.

**Authored By:** Sen. Renee Unterman (45th)  
**House Committee:** Regulated Industries  
**Committee Action:** 03-06-2018 Do Pass

**SB 425 Professional Land Surveyors; provisions; change**

Bill Summary: SB 425 removes the requirement that land surveyors receive at least 5 hours of course study in hydrology. The bill also raises the required semester hours of course study, or the equivalent, in surveying subjects approved by the board from 15 to 18 hours. Moreover, HB 833 grandfathered in those who have already received credit in hydrology course work so that they may sit for the board approved examination for licensure. In addition, HB 833 adds surveyors to the list of professionals where it is a misdemeanor to hold oneself out as a surveyor when such an individual has not completed the licensing requirements.

**Authored By:** Sen. Steve Gooch (51st)  
**House Committee:** Regulated Industries  
**Committee Action:** 03-06-2018 Do Pass by Committee Substitute

**Transportation Committee****SB 386 Sales and Use Taxes; exception to the ceiling on local sales and use taxes; transit special purpose local option sales and use tax; provide; Atlanta-region Transit Link "ATL" Commission; create**

Bill Summary: SB 386 creates the Atlanta-region Transit Link "ATL" Authority. This authority assumes the roles of the Georgia Regional Transportation Authority (GRTA) and the transit planning organization for the 13-county metro Atlanta region. The region is comprised of the counties currently under the jurisdiction of GRTA: Cherokee, Clayton, Coweta, Cobb, DeKalb,

Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties.

The bill establishes the governance structure of the ATL, as well as funding mechanisms. The ATL oversees all transit planning, funding, and operations within the region. Each of the 13 counties would have the ability to formulate a project list in conjunction with the ATL. The list would then be put before the voters along with a SPLOST for funding. Additional revenue would be generated based on a statewide per ride fee on for-hire transportation services. There would also be a tax on sales of tangible goods at Hartsfield-Jackson International Airport.

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

**Committee** 03-06-2018 Do Pass by Committee  
**Action:** 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 7, 2018

7:00 AM	<a href="#">APPROPRIATIONS GENERAL GOVERNMENT</a>	341 CAP
7:15 AM	<a href="#">APPROPRIATIONS HIGHER EDUCATION</a>	341 CAP
7:30 AM	<a href="#">APPROPRIATIONS EDUCATION</a>	341 CAP
7:45 AM	<a href="#">APPROPRIATIONS HUMAN RESOURCES</a>	341 CAP
8:00 AM	<a href="#">AGRICULTURE &amp; CONSUMER AFFAIRS</a>	403 CAP
8:00 AM	<a href="#">APPROPRIATIONS ECONOMIC DEVELOPMENT</a>	341 CAP
8:15 AM	<a href="#">APPROPRIATIONS TRANSPORTATION</a>	341 CAP
8:30 AM	<a href="#">APPROPRIATIONS HEALTH</a>	341 CAP
8:45 AM	<a href="#">APPROPRIATIONS PUBLIC SAFETY</a>	341 CAP
9:00 AM	<a href="#">RULES</a>	341 CAP
10:00 AM	<a href="#">FLOOR SESSION (LD 31)</a>	House Chamber
1:00 PM	<a href="#">Education Subcommittee on Academic Support</a>	415 CLOB
1:00 PM	<a href="#">JUDICIARY (NON-CIVIL)</a>	606 CLOB
1:00 PM	<a href="#">DEFENSE AND VETERANS AFFAIRS</a>	515 CLOB
1:00 PM	<a href="#">GOVERNMENTAL AFFAIRS</a>	406 CLOB
1:00 PM	<a href="#">ECONOMIC DEVELOPMENT AND TOURISM</a>	341 CAP
1:30 PM	<a href="#">Local Government Subcommittee of Government Affairs</a>	406 CLOB
2:00 PM	<a href="#">BUDGET AND FISCAL AFFAIRS</a>	506 CLOB
2:00 PM	<a href="#">Education Subcommittee on Academic Innovation</a>	415 CLOB
2:00 PM	<a href="#">RETIREMENT</a>	515
2:00 PM	<a href="#">INTERSTATE COOPERATION</a>	132 CAP
3:00 PM	<a href="#">Setzler Subcommittee of Judiciary (Non-Civil)</a>	606 CLOB
3:00 PM	<a href="#">PUBLIC SAFETY &amp; HOMELAND SECURITY</a>	415 CLOB
3:00 PM	<a href="#">HIGHER EDUCATION</a>	403 CAP
3:00 PM	<a href="#">INDUSTRY AND LABOR</a>	506 CLOB