



# Georgia

## HOUSE OF REPRESENTATIVES

Thursday  
March 8,  
2018

# DAILY REPORT

Committee  
Day

House Budget & Research Office  
(404) 656-5050

House Media Services  
(404) 656-0309

- The House will reconvene for its 32nd Legislative Day on Friday, March 9 at 10:00 a.m.
- The Rules committee will meet at 10:00 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.*

### Education Committee

#### SB 139 Focused Programs of Study; pathway in leadership; provide

**Bill Summary:** Senate Bill 139 amends O.C.G.A. 20-2-159.1 relating to focused programs of study by allowing local school systems, charter schools, and college and career academies to develop and submit additional pathways for consideration to the State Board of Education.

This legislation also requires the State Workforce Development Board, in consultation with the Department of Education and the Technical College System of Georgia, to develop a list of high-demand careers. This list must include industry credentials and state licenses which are linked to occupations that are in high demand and have an occupational wage of at least 70 percent of the average annual wage in this state unless the credential is a stackable credential needed for the next level of the occupation which meets the wage criterion. The list created by the Workforce Development Board should be distributed to all Georgia middle and high schools and posted on the Department of Education's website. This legislation further requires local school systems to annually report the number of students earning industry credentials and state licenses by type from the list. This local school system report will be distributed to the governor, the president of the Senate, and the speaker of the House of Representatives annually.

**Authored By:** Sen. Hunter Hill (6th)

**House Committee:** Education

**Committee Action:** 03-08-2018 Do Pass by Committee Substitute

#### SB 330 "Green Agricultural Education Act"; three-component model; provide

**Bill Summary:** Senate Bill 330 creates O.C.G.A. 20-2-154.2., which requires agricultural education programs in Georgia to be based on a nationally recognized three-component model of school-based agricultural education for grades six through 12. The Department of Education will develop the curriculum and standards for the program with input from agricultural education teachers. This legislation also authorizes the Department of Education to establish an agricultural education pilot program for elementary agricultural education to determine whether such a program is suitable for statewide implementation.

**Authored By:** Sen. John Wilkinson (50th)

**House Committee:** Education

**Committee Action:** 03-08-2018 Do Pass by Committee Substitute

**SB 362 Education; establishment of an innovative assessment pilot program; provide**

Bill Summary: Senate Bill 362 creates O.C.G.A. 20-2-286, which requires the State Board of Education to establish an innovative assessment pilot program beginning in the 2018-2019 school year. The innovative assessment pilot program will be open to 10 school systems for a span of three to five years. These systems will examine one or more alternative assessment systems which focus on formative assessments that provide real-time feedback to identify areas of student mastery and deficiency throughout the school year and allow adjustments to teaching as learning progresses. Participating systems will be able to waive some of the summative assessment requirements while implementing formative assessments.

<b>Authored By:</b>	Sen. Lindsey Tippins (37th)	<b>Committee</b>	03-08-2018 Do Pass
<b>House</b>	Education	<b>Action:</b>	
<b>Committee:</b>			

**SB 401 Individual Graduation Plans; guidance in career oriented aptitudes and career interests; provide**

Bill Summary: Senate Bill 401 amends O.C.G.A. 20-2-161.3 relating to dual credit courses by requiring participating postsecondary institutions to provide enrollment and student record data to the Office of Student Achievement and to the state-wide longitudinal data system. This legislation also requires individual graduation plans to account for a student's career-oriented aptitudes as well as career interests and academic skills by the end of eighth grade. To further the guidance of students in academic, career, social, and emotional development by school counselors, the Department of Education shall review each school counselor's role, workload, and program service delivery and report such findings to the State Board of Education and the General Assembly by December 31, 2018.

<b>Authored By:</b>	Sen. Lindsey Tippins (37th)	<b>Committee</b>	03-08-2018 Do Pass
<b>House</b>	Education	<b>Action:</b>	
<b>Committee:</b>			

**Health & Human Services Committee****HR 1292 Georgia Alzheimer's and Related Dementia Advisory Council; study providing access to quality long-term care for individuals with Alzheimer's; urge**

Bill Summary: HR 1292 urges the Georgia Alzheimer's and Related Dementia Advisory Council to study providing access to quality long-term care for individuals with Alzheimer's disease or related dementia. Georgia will work to create and maintain an environment which strikes the right balance of regulations and payments to ensure that organizations and facilities are able to provide dementia friendly care for individuals with Alzheimer's disease and related dementia.

<b>Authored By:</b>	Rep. Sharon Cooper (43rd)	<b>Committee</b>	03-08-2018 Do Pass
<b>House</b>	Health & Human Services	<b>Action:</b>	
<b>Committee:</b>			

**SB 357 Health Coordination and Innovation Council of the State of Georgia; create**

Bill Summary: SB 357 establishes the Health Coordination and Innovation Council of the State of Georgia. The 18-member council includes: a new position for a director of health care policy and strategic planning; the commissioner of the Department of Community Health; the commissioner of the Department of Public Health; the commissioner of the Department of Human Services; the commissioner of the Department of Behavioral Health and Developmental Disabilities; and the executive of director of the Division of Substance Abuse, Addiction, and Related Disorders. Four additional members are appointed by the governor for four-year terms: a dentist, a pharmacist, a primary care physician and a member representing a private health care industry. The lieutenant governor and the speaker of the House of Representatives each have one appointment. The council will create an annual report of its business, which is to create a forum for innovative ideas,

evaluation, maximize resources, and organize a health care approach.

The new position is responsible for the management and coordination of health care delivery on all government levels, in addition to coordinating data-driven decision-making between the Health Coordination and Innovation Council and the state. The director may hire staff to perform these functions.

This bill also creates a 13- to 19-member advisory board to the council, which may not have government employees as members. The governor will appoint six members who have experience to address the needs of the council, such as reviewing and commenting on all health care grant applications.

The following entities shall provide required reporting to the council, the: Maternal Mortality Review Committee; Office of Women's Health; Commission on Men's Health; Renal Dialysis Advisory Council; Kidney Disease Advisory Committee; Hemophilia Advisory Board; Georgia Council on Lupus Education and Awareness; Georgia Palliative Care and Quality of Life Advisory Council; Georgia Trauma Care Network Commission; Behavioral Health Coordinating Council; Georgia Coverdell Acute Stroke Registry; Office of Cardiac Care; and Brain and Spinal Injury Trust Fund.

<b>Authored By:</b>	Sen. Dean Burke (11th)	<b>Committee</b>	03-08-2018 Do Pass by Committee
<b>House</b>	Health & Human Services	<b>Action:</b>	Substitute
<b>Committee:</b>			

### **SB 382 Optometrists guidance and consultation by the Department of Public Health; provide**

**Bill Summary:** This bill requires the Department of Public Health to provide guidance on certain training programs for doctors of optometry who administer pharmaceutical agents by injection. The legislation adds that any injectable training program approved by the State Board of Optometry, prior to its approval by the board, is subject to the guidance by the Department of Public Health to ensure that the necessary, appropriate curriculum is in place.

<b>Authored By:</b>	Sen. P. K. Martin (9th)	<b>Committee</b>	03-08-2018 Do Pass
<b>House</b>	Health & Human Services	<b>Action:</b>	
<b>Committee:</b>			

## **Human Relations & Aging Committee**

### **SB 406 "Georgia Long-term Care Background Check Program" enact; public safety; promote**

**Bill Summary:** SB 406 creates the Georgia Long-term Care Background Check Program, which requires comprehensive criminal background checks for owners, applicants for employment, and employees providing care or owning a personal care home, assisted living community, private home care provider, home health agency, hospice care, nursing home, skilled nursing facility, or an adult day care. This requirement would begin for new applicants on October 1, 2019, but existing employees and owners have until January 1, 2021 to submit a records check application to the Department of Community Health. The department is authorized to conduct national fingerprint-based criminal background checks and provide an appeals process. Additionally, the department is to establish and maintain a caregiver registry so that employers who are family members or guardians of elderly persons can obtain an employment eligibility determination from the department for personal care applicants and employees. The bill provides immunity from liability for the department and any person or facility acting in good faith to comply with the requirements in this bill.

<b>Authored By:</b>	Sen. Brian Strickland (17th)	<b>Committee</b>	03-08-2018 Do Pass by Committee
<b>House</b>	Human Relations & Aging	<b>Action:</b>	Substitute
<b>Committee:</b>			

**SB 444 Georgia Alzheimer's and Related Dementias State Plan Advisory Council; create**

Bill Summary: SB 444 creates the Georgia Alzheimer's and Related Dementias State Plan Advisory Council to ensure that focus remains on implementing and amending the goals set forth in the Georgia Alzheimer's and Related Dementias State Plan as needed. The advisory council will submit a report to the governor and the General Assembly every three years on the work of the advisory council. This act shall be known as the 'Senator Thorborn 'Ross' Tolleson, Jr., Act'.

<b>Authored By:</b>	Sen. Renee Unterman (45th)	<b>Committee</b>	03-08-2018 Do Pass
<b>House</b>	Human Relations & Aging	<b>Action:</b>	
<b>Committee:</b>			

**Judiciary Committee****SB 194 Garnishment Proceedings; maximum part of disposable earnings subject to garnishment; change**

Bill Summary: SB 194 amends Code sections relating to garnishment. It removes provisions requiring the clerk of court to approve garnishment or dispossessory affidavits. It raises the maximum weekly disposable income earnings amount from \$217 to funds over \$217.50. The bill also changes the formula for calculating earnings for a period other than a week from a multiple of \$7.25 per hour to the proportionate fraction or multiple of 30 hours per week at \$7.25 per hour.

The legislation clarifies that the form for summons of garnishment on a financial institution shall not be used for a continuing garnishment or a continuing garnishment for support, which subjects the employees of financial institutions to a continuing garnishment.

Additionally, garnishment proceeding forms can be sent to the address the defendant identified as his/her residence in any pleading in the action resulting in the judgment debt, in addition to the address where the defendant was served in a judgment debt.

This legislation clarifies that a garnishment proceeding based on an affidavit of garnishment shall automatically be dismissed after two years unless there are funds remaining in the registry of the court or a new summons of garnishment has been issued in the preceding 30 days.

The bill adds new provision for a garnishee or a third-party claimant may seek a trial on the following claims if the plaintiff: does not have a judgment; has an incorrect affidavit of garnishment; has a false or legally insufficient affidavit of garnishment; has money held by the garnishee that is exempt or subject to a prevailing claim from a third party. Another provision prevents the defendant from presenting evidence or prevailing on a claim. Finally, the bill adds a provision that prevents a third party from presenting evidence or prevailing on a claim of exemption or defense that belongs to the defendant.

<b>Authored By:</b>	Sen. Jesse Stone (23rd)	<b>Committee</b>	03-08-2018 Do Pass by Committee
<b>House</b>	Judiciary	<b>Action:</b>	Substitute
<b>Committee:</b>			

**SB 373 Judges of Superior Courts; eleventh judge of the superior courts of the Cobb Judicial Circuit; appointment of such additional judge; provide**

Bill Summary: This bill provides enhanced mandatory minimums for crimes involving bias or prejudice typically known as "hate crimes" and an individual intentionally selects a victim because of the victim's actual or perceived religion, gender, race, national origin, homeless status, or sexual orientation.

Convictions of the individual as a hate crime shall receive a higher sentence. When the offense is simple assault, simple battery, or battery, the individual will be punished for a misdemeanor for a high and aggravated nature. The minimum of one year punishment is increased as follows, if the offense is: aggravated assault, a minimum of three years with a maximum of 20 years; aggravated

battery, a minimum of five years with a maximum of 20 years; criminal damage to property in the first degree, a minimum of three years and a maximum of 10 years; criminal damage to property in the second degree, a minimum of two years and a maximum of five years.

**Authored By:** Sen. Lindsey Tippins (37th)

**House Committee:** Judiciary

**Committee Action:** 03-08-2018 Do Pass by Committee Substitute

### **SB 436 Probate Courts; general provisions; change and modernize**

**Bill Summary:** This bill amends Code sections related to general provisions for probate courts involving training, appointments and vacancies.

The bill repeals provisions allowing the sheriff to act as an administrator. It extends the time allotted to complete new judge orientation training and file an attendance record, rather than a certificate, to one year.

This bill also removes the provision mandating concurrent terms of employment of an associate judge and the elected judge so that an associate judge may remain employed beyond the term of the elected judge. Associate judges may also practice any law outside his or her of role as an associate judge.

In the event a probate court judge is unable to act and does not appoint another attorney, a clerk of court may only act as the probate judge if the clerk is qualified to run for the position. A special election is required. Before the special election, the vacancy may be filled by the most senior associate judge even if that associate judge does not live in the district, however, if that associate judge wishes run in the special election then he or she must move into the district and otherwise qualify. If the most senior associate judge does not wish to fill the vacancy, he or she shall inform the chief judge of the superior court in which the judgeship is located in writing. If no associate judge exists to fill the vacancy or if all judges decline, the vacancy shall be filled by a qualified chief probate clerk. In the absence of an associate judge or chief clerk, the chief superior court judge shall appoint an individual to serve until the election.

The bill increases the judge's bond requirement from \$25,000 to \$100,000 to be paid by the county government. The bill also removes the minimum number of years a judge must serve to qualify as "retired" for purposes of granting a marriage license.

Lastly, this bill amends the Code section relating to the right of an interested person to offer a will for probate when the executor, the person appointed to administer the will, fails to do so. "Interested person" includes, but is not limited to a: recipient under the will, creditor of the decedent, purchaser from an heir of the decedent, and/or another similarly situated person.

**Authored By:** Sen. Brian Strickland (17th)

**House Committee:** Judiciary

**Committee Action:** 03-08-2018 Do Pass by Committee Substitute

## **Ways & Means Committee**

### **HR 1317 House Study Committee on Reforming Real Property Taxation; create**

**Bill Summary:** HR 1317 creates the House Study Committee on Reforming Real Property Taxation. The study committee is composed of six members of the House of Representatives. In addition, membership will include the following officials or their individual designee: the state revenue commissioner, the director of the Georgia Real Estate Commission, the director of the Georgia Real Estate Appraisers Board, the chief judge of the Georgia Tax Tribunal, and a county tax commissioner. The committee is authorized for five days and is abolished December 1, 2018.

**Authored By:** Rep. Andrew Welch (110th)

**House Committee:** Ways & Means

**Committee Action:** 03-08-2018 Do Pass

**SB 328 Income Tax; expiration of certain income tax credits; provide**

**Bill Summary:** Senate Bill 328 repeals the income tax credits for federal qualified transportation fringe benefits, private driver education courses, and diesel particulate emission reduction technology equipment. The bill also allows for a corporate income tax deduction for income specified in Section 951A of the IRC of 1986, Global Low-Taxed Intangible Income (GILTI).

**Authored By:** Sen. John Albers (56th)

**House** Ways & Means

**Committee:**

**Committee**  
**Action:**

03-08-2018 Do Pass by Committee  
Substitute

**SB 458 Ad Valorem Taxation; conditions; family owned farmed entities; discontinue a qualifying use of bona fide conservation use property; provide**

**Bill Summary:** Senate Bill 458 amends O.C.G.A. 48-5-7.4, relating to bona fide conservation use property, by allowing owners of parcels of conservation use land of less than 10 acres to provide proof of bona fide conservation use in the form of a statement of incurred expenses for or generated income from the qualifying use. Owners of parcels of conservation use land greater than 10 acres are not required to submit additional proof. The bill also states that boards of tax assessors cannot require a plat or survey for the exclusion of a residence from the conservation use property and removes the requirement for a non-profit club to be registered as a 501(c)(7) organization.

If a determination is made on an appeal by a superior court to approve the conservation use application or to reverse a determination of a breach, then the taxpayer shall recover the costs of litigation and attorney's fees. In the case of an appeal determination that results in a reduction in taxes due, the refund shall be paid by the tax commissioner within 60 days and the refund shall include interest accrued from the due date or actual payment. In the case of an appeal determination that results in an increase in taxes due, the taxpayer shall be afforded 60 days to make a full payment. If full payment is not received within 60 days it shall be considered past due and be subject to all interest, fees, and penalties associated with past due tax bills.

The bill also allows the owners of a family-owned farm entity to be assessed a penalty for a breach of covenant in the amount of the current year's reduced taxes rather than the full breach of covenant penalty. In order to qualify, the property must have been renewed in the program at least once and be under its current covenant for at least three years as well as have a current shareholder, member, or partner who has held some interest in the property since it entered into its previous covenant having reached the age of 65.

**Authored By:** Sen. John Wilkinson (50th)

**House** Ways & Means

**Committee:**

**Committee**  
**Action:**

03-08-2018 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](#).*

### Friday, March 9, 2018

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

9:00 AM [RULES](#) 341 CAP

10:00 AM [FLOOR SESSION \(LD 32\)](#) House Chamber

1:00 PM [ECONOMIC DEVELOPMENT AND TOURISM](#) 341 CAP