



Georgia

HOUSE OF REPRESENTATIVES

Tuesday
March 20,
2018

DAILY REPORT

Committee
Day

House Budget & Research Office
(404) 656-5050

House Media Services
(404) 656-0309

- The House will reconvene for its 37th Legislative Day on Wednesday, March 21 at 10:00 a.m.
- Nine 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.

Agriculture & Consumer Affairs Committee

HR 1397 Federal Motor Carrier Safety Administration (FMCSA); withdraw the Electronic Logging Device regulation on the agriculture industry; encourage

Bill Summary: HR 1397 encourages the Federal Motor Carrier Safety Administration (FMCSA) to provide appropriate Electronic Logging Device (ELD) regulations and honor the hours of service provisions for the agriculture industry.

Authored By: Rep. Robert Dickey (140th)
House Committee: Agriculture & Consumer Affairs **Committee Action:** 03-20-2018 Do Pass

SB 257 Animals; consultation with a veterinarian; filing of criminal charges for cruelty to animals in certain instances; provide

Bill Summary: SB 257 requires a law enforcement officer to consult with a veterinarian employed by the Department of Agriculture or approved by the Department of Agriculture's commissioner prior to filing criminal charges related to animal husbandry of food animals. The bill defines "food animal" as any animal raised for the production of edible products intended for human consumption.

Authored By: Sen. Bill Heath (31st)
House Committee: Agriculture & Consumer Affairs **Committee Action:** 03-20-2018 Do Pass by Committee Substitute

Higher Education Committee

SB 354 Technical College System of Georgia; classify certain active duty service members as in-state for tuition purposes; require

Bill Summary: SB 354 reduces the home school student eligibility percentile threshold on the ACT and the combined reading and math of a single administration of the SAT for the Zell Miller Scholarship from the 93rd percentile to the 92nd percentile.

Also, the bill requires the posting of signs which contain the toll-free number to report incidents of child abuse in a visible, public area of a school.

Lastly, the bill allows active duty members of the regular or reserve component of the United States Armed Forces or the United States Coast Guard who physically reside in

Georgia to be classified as "in-state" for tuition calculation purposes at the Technical College System of Georgia.

Authored By: Sen. Lester Jackson (2nd)

House Committee: Higher Education

Committee Action: 03-20-2018 Do Pass by Committee Substitute

Judiciary Committee

SB 184 Integrated Population Health Data Project; establish; governing board and provide for its membership and terms; create

Bill Summary: This bill amends Code sections related to hospitals and similar institutions that require certain permits for services in the medical business, including construction of hospitals and purchases of major medical equipment known as Georgia's Certificate of Need (CON) laws. Under the bill "integrated ambulatory surgical centers" that provide uncompensated indigent and charity care of at least five percent and provide an annual report to the Department of Community Health regarding debts, revenues, total patients and other health care information, shall be able to establish or expand without state approval required through CON.

"Integrated ambulatory surgical centers" are defined as centers that: solely specialize in orthopedic surgery on professional and amateur athletes with an operating facility no larger than 20,000 square feet; have an integrated athletic training and educational facility for youth, amateur and professional athletes; perform medical research activities; and provide physician training and education for sports medicine within a total campus area of at least 400,000 square feet. Subject to hearing and notice requirements of the 'Administrative Procedure Act', integrated ambulatory surgical centers that fail to provide uncompensated indigent and charity care of at least five percent or provide the annual report to the Department of Community Health shall incur a monetary penalty equal to the difference between the services required to be provided and the amount actually provided, as well as the possible revocation of the CON exemption for repeated failure to provide these services or reports.

Authored By: Sen. Chuck Hufstetler (52nd)

House Committee: Judiciary

Committee Action: 03-20-2018 Do Pass by Committee Substitute

Judiciary Non-Civil Committee

SB 39 Pimping and Pandering; increase the penalty provisions

Bill Summary: SB 39 raises the punishment for pimping and pandering in non-sex trafficking cases. Regarding pimping, the bill raises the amount of time that cannot be suspended, stayed, or probated to 72 hours. Moreover, on the second offense, the punishment is increased to a felony with a term of imprisonment of not less than one nor more than five years, and third and subsequent offenses being punished as a felony with a term of imprisonment not less than one nor more than 10 years.

Regarding pandering, the bill increases the punishment on the second offense by raising the amount of time that cannot be suspended, stayed, or probated to 72 hours, and on third and subsequent offenses being punished as a high and aggravated misdemeanor with all but 96 hours of imprisonment to be suspended, stayed, or probated.

Authored By: Sen. Renee Unterman (45th)

House Committee: Judiciary Non-Civil

Committee Action: 03-20-2018 Do Pass by Committee Substitute

SB 127 Failure to Provide Notice Not Rendering Responsible Person Liable; victim to file a motion in a criminal case to assert his or her rights; allow

Bill Summary: SB 127 is companion legislation for SR 146, also known as Marcy's Law, and provides a process for victims to be heard by the court. When the victim of a crime makes a written request to the prosecuting attorney to be notified of all proceedings, has provided appropriate contact information, and asserts that no notification has been provided, the victim can make a motion to the court to be heard on the matter. Such a motion shall be filed no later than 20 days after the claimed denial. Moreover, the court's decision on such a motion is final and not subject to appeal.

Authored By: Sen. John Kennedy (18th)
House Committee: Judiciary Non-Civil
Committee Action: 03-20-2018 Do Pass by Committee Substitute

SB 335 Trafficking of Persons for Labor; offense of trafficking an individual for sexual servitude; expand

Bill Summary: SB 335 provides sanctions for patrons of individuals trafficked for the purpose of sexual servitude to be punished as a felony with imprisonment for not less than five nor more than 20 years when the offense is committed against an individual who is older than 16 years of age, and punished with imprisonment for not less than 10 nor more than 20 when the offense is committed against an individual who is younger than 16 years of age or when the individual is known to have a developmental disability.

SB 335 also creates the crime of sexual assault of the first and second degree committed by persons in authority on those under their authority.

Authored By: Sen. Renee Unterman (45th)
House Committee: Judiciary Non-Civil
Committee Action: 03-20-2018 Do Pass by Committee Substitute

SR 146 Certain Rights for Victims; suffered or harmed due to an act committed; in violation of the criminal or juvenile delinquency laws; provide-CA

Bill Summary: SR 146, known as Marcy's Law, is the companion legislation to SB 127, and provides for the constitutional rights to the victims of crime. The rights for the victims are as follows: reasonable, accurate, and timely notice of court proceedings involving the alleged act; reasonable and timely notice upon the release or escape of the accused; inclusion in any scheduled court proceedings; and the opportunity to be heard at any scheduled proceedings involving the release, plea, or sentencing of the accused. These rights do not: create a cause of action against the State of Georgia; confer the right for a victim to appeal, challenge, or provide standing to become a party to a criminal or delinquency proceeding; nor restrict the inherent authority of the courts to maintain order in the courtroom.

Authored By: Sen. John Kennedy (18th)
House Committee: Judiciary Non-Civil
Committee Action: 03-20-2018 Do Pass by Committee Substitute

Natural Resources & Environment Committee**SB 385 Solid Waste Disposal Facilities; surcharge imposed by host local governments; change**

Bill Summary: SB 385 changes the minimum surcharge collected by the host local government from \$1.00 to \$2.00 per ton of waste accepted by a private municipal solid waste disposal facility. The bill requires local governments to utilize at least 50 percent of surcharges collected for efforts that offset the impact of the facility. SB 385's effective date is January 1, 2020 except for waste consisting of fly ash, bottom ash, boiler slag, or flue gas desulfurization materials generated from burning coal which will be effective

July 1, 2025.

Authored By: Sen. Burt Jones (25th)

House Committee: Natural Resources & Environment

Committee Action: 03-20-2018 Do Pass by Committee Substitute

Public Safety & Homeland Security Committee

HR 1416 House Study Committee on Bail Reform; create

Bill Summary: House Resolution 1416 creates the House Study Committee on Bail Reform.

Authored By: Rep. Doreen Carter (92nd)

House Committee: Public Safety & Homeland Security

Committee Action: 03-20-2018 Do Pass by Committee Substitute

SB 348 Technical College System of Georgia; powers of arrest of campus policemen who are regular employees; revise

Bill Summary: Senate Bill 348 revises arrest powers jurisdiction of campus police and other security personnel of the University System of Georgia (USG) and the campus police who are regular employees of the Technical College System of Georgia (TCSG). Campus police and security personnel who are POST-certified and who are regular employees of USG or TCSG have the power to make arrests for offenses committed upon any property under the jurisdiction of the board of regents and on any public or private property within 1,500 feet of any property under the jurisdiction of the board provided that those policemen or security personnel have the power to issue citations or make arrests for traffic violations on campus roadways unless the citation or arrest is within the continuity of a pursuit or attempted stop that emanated on campus roadways or on property under jurisdiction of the board.

The bill defines "campus roadways" as any public street or roadway that is within the property lines of property under the jurisdiction of the board of regents that abuts property under the jurisdiction of the board on at least two sides; or one-quarter mile of any public street or roadway connecting different buildings under the jurisdiction of the board from the furthest point of any buildings when such buildings are located within any county having a population of 500,000 or more according to the latest United States census.

The bill also requires that the campus police report annually to the board of regents and the chairpersons of the House and Senate Public Safety Committees on the activities, citations, or arrests made within that 1,500 foot buffer zone.

Lastly, the legislation provides that the final or adopted school safety plan pertaining to the personnel who are approved to carry weapons and the details of active incident action plans, including, but not limited to, action plans of local law enforcement and action plans for the response and movement of students and personnel, in response to an act of violence be considered a confidential matter of public safety and be exempt from the 'Open Records Act'.

Authored By: Sen. Tyler Harper (7th)

House Committee: Public Safety & Homeland Security

Committee Action: 03-20-2018 Do Pass by Committee Substitute

SB 452 Criminal Procedure and Penal Institutions; peace officer to take certain actions; verification that a suspect is illegal alien; require

Bill Summary: Senate Bill 452 amends Code relating to criminal procedure and citizenship status of prisoners and deportation.

Section One allows a peace officer who receives verification that a suspect is an illegal alien to report and transfer all information gained from the investigation to the prosecuting attorney with jurisdiction over the alleged criminal violation. The bill also includes immunity from damages or liability from actions in the process of acting in good faith to carry out provisions of the Code section for the employing governmental agency of the peace officer or prosecutor.

Section Two of the bill prohibits bail schedules from mandating the release of an accused on his or her own recognizance before being brought before a judge of a court of inquiry.

Section Three requires that when a court is sentencing a defendant convicted of a felony, the court must determine whether the person is lawfully present in the United States under federal law and if not, whether Immigration and Customs Enforcement (ICE) has placed a detainer on him or her. Upon confirmation of unlawful presence in the U.S., the court shall order the notification of the U.S. Department of Homeland Security or other department designated for such notification by the federal government. When a person is found to be in the U.S. unlawfully or if they are under detainer by ICE, the court shall notify the sheriff or municipal custodial officer at least 72 hours prior to the defendant's release from custody, or as soon as practical if the defendant will be held less than 72 hours, of the requirement that they notify ICE of the anticipated release. If a person is found to be here illegally or if the Immigration Customs Enforcement has placed a person being sentenced on detainer, then corrections must comply with statute regarding alien prisoners eligible for deportation. They must notify Immigration Customs Enforcement within 72 hours of anticipated release and before release from probation. The Department of Community Supervision must also notify ICE of the person's address at the time of release.

Lastly, Section Four of the bill makes the considerations of the Board of Pardons and Paroles a requirement rather than voluntary when a determination is made that a prisoner would be legally subject to deportation while on parole.

Authored By: Sen. Jesse Stone (23rd)
House Committee: Public Safety & Homeland Security
Committee Action: 03-20-2018 Do Pass by Committee Substitute

Regulated Industries Committee**HR 1398 House Study Committee on Short-Term Rental Providers; create**

Bill Summary: HR 1398 creates the House Study Committee on Short-term Rental Providers to investigate issues ranging from taxation to public safety concerns and to make recommendations regarding any actions or legislation that the committee deems appropriate.

Authored By: Rep. Matt Dollar (45th)
House Committee: Regulated Industries
Committee Action: 03-20-2018 Do Pass

SB 461 Barbers and Cosmetologists; provisions; change

Bill Summary: SB 461 refines the Code regarding the State Board of Cosmetology and Barbers by restoring language and services that were omitted when those two boards combined in statute, and otherwise makes no substantive changes to current law.

In addition, SB 461 removes the misdemeanor penalty for practicing microblading of the eyebrow.

Authored By: Sen. Jesse Stone (23rd)

House Committee: Regulated Industries

Committee Action: 03-20-2018 Do Pass by Committee Substitute

Special Rules Committee**HR 1536 National PTA; commend for their efforts to address dangers of e-cigarettes; urge local efforts to continue to address such dangers**

Bill Summary: This resolution commends the National Parent Teacher Association for their efforts to address the dangers of e-cigarettes and urges local efforts to continue to address those dangers.

Authored By: Rep. Sharon Cooper (43rd)

House Committee: Special Rules

Committee Action: 03-20-2018 Do Pass

HR 1540 United States Congress; take immediate and significant action to invest in funding infrastructure construction, maintenance, and repair; request

Bill Summary: This resolution requests Congress to take immediate and significant action to invest in funding infrastructure construction, maintenance, and repair.

Authored By: Rep. Vernon Jones (91st)

House Committee: Special Rules

Committee Action: 03-20-2018 Do Pass

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 click on [Meetings Notices](#).

Wednesday, March 21, 2018

8:00 AM	INSURANCE - 606 CLOB
9:00 AM	RULES - 341 CAP
10:00 AM	HOUSE FLOOR SESSION (DAY 37) - House Chamber
1:00 PM	JUVENILE JUSTICE - 415 CLOB
2:00 PM	HEALTH & HUMAN SERVICES - 606 CLOB
2:00 PM	BUDGET AND FISCAL AFFAIRS OVERSIGHT - 506 CLOB
3:00 PM	APPROPRIATIONS PUBLIC SAFETY - 406 CLOB
3:30 PM	STATE PLANNING AND COMMUNITY AFFAIRS - 515 CLOB