



Georgia

HOUSE OF REPRESENTATIVES

Thursday
February 8,
2018

DAILY REPORT

18th
Legislative
Day

House Budget & Research Office
(404) 656-5050

House Media Services
(404) 656-0309

- The House will reconvene for its 19th Legislative Day on Monday, February 12 at 10:00 a.m.
- The Rules committee will meet at 9:00 a.m.
- 6 bills / resolutions are expected to be debated on the floor.

Today on the Floor

Rules Calendar

HB 538 Fulton County; Board of Education; pension and retirement pay to teachers and employees; create system

Bill Summary: HB 538 allows the Fulton County Board of Education to create a new retirement system for its teachers and employees. All currently covered employees, beneficiaries, assets, liabilities, duties, responsibilities, and terms of the current retirement system are transferred to the new system. The new retirement system is considered a local system and can be amended by the local board of education, but the board must notify the Fulton County delegation of the General Assembly of any amendments to the retirement plan. This bill has been certified by the Georgia Department of Audits and Accounts as a fiscal retirement bill. The actuary has determined that a state appropriation is not required to implement the changes.

Authored By: Rep. Wendell Willard (51st)
House Committee: Retirement
Floor Vote: Yeas: 161 Nays: 1

Rule Applied: Modified-Open
Committee Action: 01-31-2018 Do Pass
Amendments:

HB 618 Skidaway Island, City of; incorporate

Bill Summary: House Bill 618 is a bill to incorporate the city of Skidaway Island.

Authored By: Rep. Jesse Petrea (166th)
House Committee: Governmental Affairs
Floor Vote: Yeas: 158 Nays: 3

Rule Applied: Modified-Structured
Committee Action: 01-31-2018 Do Pass by Committee Substitute
Amendments:

HB 626 Sharon Springs, City of; incorporate

Bill Summary: House Bill 626 is a bill to create the city of Sharon Springs.

Authored By: Rep. Todd Jones (25th)
House Committee: Governmental Affairs
Floor Vote: Yeas: 159 Nays: 3

Rule Applied: Modified-Structured
Committee Action: 01-31-2018 Do Pass by Committee Substitute
Amendments:

HB 655 Quality Basic Education Act; post sign containing telephone number to receive reports of child abuse; require every public school

Bill Summary: House Bill 655 amends O.C.G.A. 20-2-324 by adding a new Code section requiring the posting of signs which 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)	Rule Applied:	Modified-Open
House Committee:	Education	Committee Action:	02-05-2018 Do Pass
Floor Vote:	Yeas: 145 Nays: 16	Amendments:	

HB 699 Firefighter certification; military firefighter training may be accepted as required basic training; provide

Bill Summary: House Bill 699 amends the Code relating to firefighter training so that any training received and documented as a member of the armed forces may be satisfactory for obtaining certification from the council for completion of the required basic firefighter training.

Authored By:	Rep. D. C. Belton (112th)	Rule Applied:	Modified-Open
House Committee:	Public Safety & Homeland Security	Committee Action:	02-05-2018 Do Pass
Floor Vote:	Yeas: 164 Nays: 0	Amendments:	

Local Calendar

HB 805 Terrell County; office of county treasurer; abolish

Bill Summary: This bill abolishes the office of county treasurer of Terrell County.

Authored By:	Rep. Gerald Greene (151st)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-07-2018 Do Pass
Floor Vote:	Yeas: 168 Nays: 0	Amendments:	

HB 806 Town of Braselton Public Facilities Authority Act; enact

Bill Summary: This bill creates the Town of Braselton Public Facilities Authority.

Authored By:	Rep. Tommy Benton (31st)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-07-2018 Do Pass
Floor Vote:	Yeas: 168 Nays: 0	Amendments:	

HB 807 City of St. Marys Community Improvement Districts Act of 2018; enact

Bill Summary: This bill provides for the creation of one or more community improvement districts in the City of St. Mary's.

Authored By:	Rep. Jason Spencer (180th)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-07-2018 Do Pass
Floor Vote:	Yeas: 168 Nays: 0	Amendments:	

HB 822 School District of Social Circle; create

Bill Summary: This bill modifies provisions relating to the filling of vacancies on the Board of Education of Social Circle.

Authored By:	Rep. Bruce Williamson (115th)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-07-2018 Do Pass
Floor Vote:	Yeas: 168 Nays: 0	Amendments:	

HB 828 Harlem, City of; Redevelopment Powers Law; provide for referendum

Bill Summary: This bill authorizes the City of Harlem to exercise all redevelopment and other powers found under Article IX, Section II, Paragraph VII(b) of the Georgia Constitution and Chapter 44 of Title 36 of the O.C.G.A.

Authored By:	Rep. Barry Fleming (121st)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-07-2018 Do Pass
Floor Vote:	Yeas: 168 Nays: 0	Amendments:	

HB 829 Quitman County; Board of Education; change compensation of chairperson and members

Bill Summary: This bill changes the compensation of the chairperson and members of the Quitman County Board of Education. The chairperson of the board shall be paid \$600 per month. Other members of the board shall be paid \$500 per month.

Authored By:	Rep. Gerald Greene (151st)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-07-2018 Do Pass
Floor Vote:	Yeas: 168 Nays: 0	Amendments:	

HB 836 Dougherty County School System; change compensation of members of the board of education

Bill Summary: This bill changes the compensation of the members of the Dougherty County School System Board of Education. The chairperson of the board shall be paid \$1,200 per month, the vice-chairperson shall be paid \$1,100 per month, and all other members shall be paid \$1,000 per month.

Authored By:	Rep. Winfred Dukes (154th)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-07-2018 Do Pass
Floor Vote:	Yeas: 168 Nays: 0	Amendments:	

HB 838 Peachtree City Water and Sewage Authority; revise membership

Bill Summary: This bill revises the membership of the Peachtree City Water and Sewerage Authority.

Authored By:	Rep. Josh Bonner (72nd)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-07-2018 Do Pass
Floor Vote:	Yeas: 168 Nays: 0	Amendments:	

SB 278 Columbia County; exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A.; authorize

Bill Summary: This bill authorizes Columbia County to exercise all redevelopment powers other powers found under Article IX, Section II, Paragraph VII(b) of the Georgia Constitution and Chapter 44 of Title 36 of the O.C.G.A.

Authored By:	Sen. Jesse Stone (23rd)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-07-2018 Do Pass
Floor Vote:	Yeas: 168 Nays: 0	Amendments:	

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 19th Legislative Day, Monday, February 12, and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Monday, February 12, at 9:00 a.m., to set the Rules Calendar for the 20th Legislative Day.

HB 487 Disaster Volunteer Relief Act; granted leave from work with pay in order to participate in specialized disaster relief services; authorize certain employees of state agencies

Bill Summary: House Bill 487 allows state employees, under the 'Disaster Relief Volunteer Act', who are certified volunteers of the Civil Air Patrol United States Air Force Auxiliary to be granted paid leave for no more than 15 work days in a 12-month period. This leave is to be specifically used for participation in specialized emergency services operations for the Civil Air Patrol upon the request of the Patrol after activation by a county emergency management agency, the Georgia Emergency Management and Homeland Security Agency, or a comparable federal agency for that employee's services and upon the employee's agency approval.

Authored By:	Rep. Josh Bonner (72nd)	Rule Applied:	Modified-Structured
House Committee:	Public Safety & Homeland Security	Committee Action:	02-05-2018 Do Pass

HB 592 Insurance; compliance self-evaluative privilege; repeal applicability and sunset provisions

Bill Summary: House Bill 592 repeals the applicability and sunset provisions of the insurance compliance self-evaluative privilege (O.C.G.A. 33-2-34). This privilege allows insurance companies to fix issues arising from an internal audit without suffering reprisal by regulators for the original mistake.

Authored By:	Rep. Eddie Lumsden (12th)	Rule Applied:	Open
House Committee:	Insurance	Committee Action:	02-07-2018 Do Pass

HB 678 Insurance; consumer protections regarding health insurance; provisions

Bill Summary: House Bill 678 is designed to bring transparency to the process of medical billing. It prevents the "surprise" bill patients receive when an out-of-network doctor participates in the treatment team for an elective procedure. The bill requires hospitals, healthcare providers and insurers to disclose to patients which doctors in their treatment team are or are not part of their insurance network. Further, it requires the disclosure of the cost for the out-of-network care.

The elements of this bill do not apply to emergency care or any care that arises due to a complication during an elective procedure.

In the event a surprise bill does arise as a result of complications during a procedure, the legislation provides for a dispute resolution process.

Authored By:	Rep. Richard Smith (134th)	Rule Applied:	Modified-Structured
House Committee:	Insurance	Committee Action:	02-07-2018 Do Pass by Committee Substitute

HB 723 Sales and use tax; certain veterinary diagnostic and disease monitoring services; create exemption

Bill Summary: House Bill 723 amends 48-8-3, relating to exemptions from state sales and use tax, by adding an exemption on sales tax for 501(c)(5) non-profit organizations which, as their primary purpose, provide poultry related diagnostic and disease monitoring services.

Authored By:	Rep. Sam Watson (172nd)	Rule Applied:	Structured
House Committee:	Ways & Means	Committee Action:	02-01-2018 Do Pass by Committee Substitute

HB 734 Insurance; modernization and updates; provisions

Bill Summary: House Bill 734 is a housekeeping bill to modernize and update the first 10 chapters of Title 33, the Insurance Code. It corrects spelling and punctuation, deletes obsolete Code references, and modernizes definitions. The bill makes no substantive change to the law itself.

Authored By: Rep. Richard Smith (134th)
House Committee: Insurance

Rule Applied: Modified-Open
Committee Action: 02-07-2018 Do Pass by Committee Substitute

HB 739 Tracy Rainey Act; enact

Bill Summary: House Bill 739 amends O.C.G.A. 20-2-200.2 relating to professional certification of military spouses by specifying the Code section shall be known as the 'Tracy Rainey Act.'

Authored By: Rep. Al Williams (168th)
House Committee: Education

Rule Applied: Modified-Open
Committee Action: 02-05-2018 Do Pass

Committee Actions

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

Education Committee

HB 740 Education; local school system to conduct certain screenings, assessments, and reviews prior to expelling a student; require

Bill Summary: House Bill 740 amends O.C.G.A. 20-2-742 relating to the suspension or expulsion of students in kindergarten through third grade by requiring schools to provide a multi-tiered system of supports, such as response to intervention, prior to the suspension or expulsion unless such student possessed a weapon, drug, other dangerous instrument, or the physical safety of others is at risk.

Authored By: Rep. Randy Nix (69th)
House Committee: Education

Committee Action: 02-08-2018 Do Pass by Committee Substitute

HB 759 Georgia Special Needs Scholarship Program; prior school year requirement; revise

Bill Summary: House Bill 759 amends O.C.G.A. 20-2-2114 relating to the qualifications for the Georgia Special Needs Scholarship Program by adding an exception to the prior school year attendance requirement for students who have previously qualified for a scholarship.

Authored By: Rep. Scot Turner (21st)
House Committee: Education

Committee Action: 02-08-2018 Do Pass

HB 763 Education; student attendance protocol committees to school climate; expand

Bill Summary: House Bill 763 amends O.C.G.A. 20-2-690.2 relating to student attendance protocol committees by expanding the purview of said committees to include reviewing and recommending policies relating to school climate. This legislation revises the name of the student attendance protocol committee to the student attendance and school climate committee to accurately reflect its revised purpose.

Authored By: Rep. Randy Nix (69th)
House Committee: Education

Committee Action: 02-08-2018 Do Pass

HB 781 Sales and use tax; comprehensive revision of tax for educational purposes; provisions

Bill Summary: House Bill 781 revises the authorized purposes of expenditures for county sales and use taxes, specifically the sales tax for educational purposes (ESPLOST). This legislation provides flexibility to local school systems by expanding the allowable use of ESPLOST revenue to include specific maintenance and educational program expenses in addition to capital outlay projects. Local school boards may choose to use up to 50 percent of ESPLOST revenue for specific maintenance and educational programs expenses by including such uses on the referendum presented to voters.

Systems which have recently passed an ESPLOST may amend their existing tax to include maintenance and educational program expenses from January 1, 2019 until January 1, 2021. If a system decides to take advantage of this option, voters must approve the amendment through referendum.

Authored By: Rep. Kevin Tanner (9th)

House Committee: Education

Committee Action: 02-08-2018 Do Pass by Committee Substitute

HR 992 Local sales and use tax; use for educational purposes of a school system; authorize - CA

Bill Summary: House Resolution 992 amends the Georgia Constitution to authorize the use of up to 50 percent of education special purpose local option sales tax (ESPLOST) for maintenance and educational programs in addition to capital outlay projects. The ballot presented to voters will read, "Shall the Constitution of Georgia be amended to allow the current local sales tax for educational purposes to be used for construction, building maintenance, and instructional enhancements of a school system?" The list of allowable maintenance and educational programs is located in the authorizing legislation HB 781.

Authored By: Rep. Kevin Tanner (9th)

House Committee: Education

Committee Action: 02-08-2018 Do Pass by Committee Substitute

Judiciary Committee**HB 381 Abandoned Mobile Home Act; enact**

Bill Summary: This bill creates the 'Abandoned Mobile Home Act' to provide counties and municipalities with the authority to appoint an agent to determine the condition of a mobile home and how to dispose of the property. The Act establishes procedures for a landowner to follow if the landowner wishes to remove an abandoned mobile home from his or her property. A mobile home is deemed "abandoned" if tenants have left it vacant for 90 days without notice to the landowner and there is evidence of removal of all personal belongings, cancelled insurance to indicate that tenants are not using or occupying the mobile home, or other indications that the mobile home is vacant and no longer being used.

In order to have the abandoned mobile home removed, the landowner must request that a local government agent inspect the mobile home, at which time the agent will classify the mobile home as either "derelict" or "intact". That classification determines the disposition of the vehicle.

For derelict (uninhabitable and in need of major repair) mobile homes, the agent shall post a notice demanding rent and unpaid fees in an obvious location on the mobile home, and the landowner must serve notice of the agent's determination upon any person with an ownership interest. If no persons with an ownership interest can be ascertained, the landowner must place an advertisement in a newspaper of general circulation in the county where the mobile home is located to run for two consecutive weeks, unless no such newspaper exists, then the landowner shall post the notice at the county courthouse where other public notices are posted for two consecutive weeks. Within 90 days of receipt of the notice, either the mobile home owner must request a hearing in magistrate court to

contest the determination, or the landowner must petition a magistrate court to hold a hearing to confirm or deny the decision by the local government agent—a hearing on such issue must be held within ten days of the petition. If the mobile home owner fails to request a hearing or if the determination is confirmed by the court, all tax liens held by state or local governing authorities are discharged and the landowner is entitled to dispose of the mobile home, although he or she must dispose of the mobile home within 180 days. Within 30 days of the disposal the landowner must notify the Department of Revenue and local tag agent of the disposal and the department shall cancel the certificate of title for such derelict mobile home, if such certificate exists.

For mobile homes classified as intact (in livable condition), the landowner shall have a lien in the amount of any unpaid fees (such as the reasonable cost of removal and storage of the mobile home) and rents accrued after the filing of the lien, but the rent cannot exceed \$3.00 per day after the filing of the lien. Any proceeding to foreclose on a lien against and intact abandoned mobile home shall be instituted within one year of the lien's recordation and filed in superior court. Similar notice provisions are provided, but for intact vehicles the landowner may foreclose on such lien within 30 days of complying with the notice requirements, and similarly the magistrate court must hold a hearing to determine if a valid debt exists, but a defendant has 30 days, rather than 90 days to request a hearing to contest the agent's determination. If the court finds the vehicle intact then within five days of that hearing a party defendant may petition the court for a full hearing contesting the validity of the debt and that hearing shall be held within 15 days of the defendant's petition. If the defendant fails to seek a hearing or after a full hearing the court determines a valid debt exists then the court shall issue an order authorizing the public sale of the mobile home, however, any party with a security interest in or a lien on the mobile home shall have the right, in the order of priority, to pay the debt and court costs and upon doing so shall have the right to possess the mobile home, and that person's security interest in or lien shall be increased by the amount so paid. A court order shall be issued to this effect, and no public sale of the mobile home shall occur. After the lien is satisfied, the person selling the mobile home shall, within 30 days of the sale, provide the clerk of the magistrate court a copy of the bill of sale and turn the remaining proceeds of such sale, if any, over to the clerk of the court and those funds shall be placed in the general fund after twelve months if no claim to those proceeds by the mobile home owner has been filed. A seller's failure to comply with this requirement shall be a misdemeanor. Where the landowner acts in bad faith, the court may use its discretion to award damages to the mobile home's owner.

Authored By: Rep. John Corbett (174th)

House Committee: Judiciary

Committee Action: 02-08-2018 Do Pass by Committee Substitute

HB 410 Condominiums; certain fees imposed on purchasers; provide for limits

Bill Summary: HB 410 amends the Code sections relating to two issues: (1) start-up fees and reserves imposed upon owners of new condominiums or property owners' associations, and (2) how property owners can request lien statements from property owners' associations as well as how much said associations can charge as fees for creating and delivering the statement. Under this bill, property owners' associations can no longer impose various fees or reserves on individuals needing to obtain disclosure documents necessary for real estate transactions. Additionally, under this bill all fees and reserves due to the association will constitute a lien in favor of the association, unless the association fails to properly respond to the request for a statement of amounts due within ten, rather than five, business days from receipt of the request. The fee that an association may impose in responding to a request for a statement of amounts due is raised from \$10 to \$200, but caps that amount to include all associated administrative costs associated with preparing such statements rather than remaining silent and enabling administrative fees to exceed the original \$10 cap and specifying what must be included in that statement such as: a copy of the current covenants and bylaws of the association and a statement of any encumbrances regarding the subject property.

Also, if the requestor would like an expedited statement, one made and delivered within three business days of the request, the association may impose an additional \$50 expedited fee and can charge an additional \$50 fee for reprinting. If the association fails to respond to a request within 10 business days then it can no longer charge the requestor for the statement. All statements issued

under this code section shall be effective for 30 days from date of issuance.

Authored By: Rep. Alan Powell (32nd)
House Committee: Judiciary
Committee Action: 02-08-2018 Tabled

HB 704 Civil practice; burial of construction waste or materials; change when statute of limitations shall accrue for certain actions

Bill Summary: This bill provides a two-year statute of limitation for certain types of trespass. A cause of action for trespass upon or damage to real property due to the burying of construction wastes or materials shall be barred if not brought within two years of the trespass or discovery of the damage. A claim is barred if the trespass should have been discovered by reasonable diligence for a project completed by July 1, 2018.

Authored By: Rep. Michael Caldwell (20th)
House Committee: Judiciary
Committee Action: 02-08-2018 Do Pass by Committee Substitute

HB 705 Magistrate courts; jurisdictional limits for certain civil claims; increase

Bill Summary: This bill amends Code sections relating to the general jurisdiction of magistrate courts to increase jurisdictional limits from \$15,000 to \$25,000 for torts. All other civil claims remain \$15,000, including garnishment and attachment, in which exclusive jurisdiction is not vested in the superior court. The filing fees for claims under \$15,000 remains \$22 and the filing fees for claims over \$15,000 is \$40.

Authored By: Rep. Trey Kelley (16th)
House Committee: Judiciary
Committee Action: 02-08-2018 Do Pass by Committee Substitute

Juvenile Justice Committee

HB 670 Georgia State Council for Interstate Juvenile Supervision; number of legislative branch representatives; revise

Bill Summary: HB 670 refines the process by which the legislative and judicial members are selected to serve on the Interstate Compact for Juveniles. The bill provides that the speaker of the House and the president of the Senate shall each make a choice of a member to serve as a legislative branch representative, and the chief justice of the Supreme Court shall chose the judicial branch representative.

Authored By: Rep. Alan Powell (32nd)
House Committee: Juvenile Justice
Committee Action: 02-08-2018 Do Pass

SB 131 Juvenile Code; adoption proceedings be stayed while an appeal to terminate parental rights is pending; provide

Bill Summary: SB 131 provides that the appeal of an order granting a petition terminating parental rights will stay an adoption proceeding, relating to the child, until the conclusion of the appellate proceedings. The bill also adds to what a judge may take into consideration when determining grounds to terminate parental rights to include that a continuation of the parent and child relationship is likely to cause harm to said child. Moreover, SB 131 adds to the best interest of the child standard when the statutory grounds for terminating parental rights have been met by including the benefit to the child of a stable and permanent home environment and the detrimental impact to the child with the lack thereof. The bill also adds protections for a child waiving the right to an attorney, where liberty is not in jeopardy.

Authored By: Sen. Blake Tillery (19th)

House Committee:	Juvenile Justice	Committee Action:	02-08-2018 Do Pass by Committee Substitute
-------------------------	------------------	--------------------------	--

Natural Resources & Environment Committee

HB 665 Abandoned vessels; revise notice requirements; provisions

Bill Summary: HB 665 eliminates duplicative notification requirements for when an abandoned vessel is removed from a public or private waterway. The bill removes the Georgia Bureau of Investigation from the list of entities requiring notification, resulting in all notifications being made to the Department of Natural Resources.

Authored By:	Rep. Eddie Lumsden (12th)	Committee Action:	02-08-2018 Do Pass
House Committee:	Natural Resources & Environment		

Transportation Committee

HB 717 Motor vehicles; applicability of certain consumer protection laws to autonomous vehicles; provide

Bill Summary: House Bill 717 amends the statute to provide for the applicability of state consumer protection laws to autonomous vehicles. This includes the 'Fair Business Practices Act of 1975' and the 'Georgia Lemon Law', and 'The Georgia Motor Vehicle Franchise Practices Act'.

Authored By:	Rep. Trey Kelley (16th)	Committee Action:	02-08-2018 Do Pass by Committee Substitute
House Committee:	Transportation		

Ways & Means Committee

HB 302 Ad valorem tax; property; change certain requirements to notice pertaining to millage rate adoption

Bill Summary: House Bill 302 amends 48-5-32.1, relating to advertising and notice requirements pertaining to the adoption of a millage rate, by changing the title of the notice to 'Notice of Proposed Property Tax Revenue Increase' and by revising the content of the notice to include the proposed millage rate, the total increase in tax property tax revenue expected to be generated with the proposed millage rate, value of property assessments and the reason for the increase. The notice is also modified to include a statement of what the necessary millage rate reduction would be to remain at the previous year's property tax revenue.

Authored By:	Rep. Randy Nix (69th)	Committee Action:	02-08-2018 Do Pass by Committee Substitute
House Committee:	Ways & Means		

HB 327 Alternative ad valorem tax; motor vehicles; change manner for determining fair market value

Bill Summary: House Bill 327 amends 48-5C-1, relating to alternative ad valorem tax on motor vehicles, by removing the current state/local fund distribution model and replacing it with the following system. Beginning with the 2019 tax year and going through the 2024 tax year, each county shall retain an amount of the state and local title ad valorem tax (TAVT) proceeds equal to the amount of ad valorem taxes collected for the corresponding month in the 2012 tax year minus the amount of ad valorem tax collected during the current month. The excess portion of state and local TAVT proceeds each month shall be distributed as follows:

- 2019, 80 percent shall be remitted to the state and 20 percent shall be distributed by the locals;
- 2020, 75 percent shall be remitted to the state and 25 percent shall be distributed by the locals;
- 2021, 70 percent shall be remitted to the state and 30 percent shall be distributed by the locals;
- 2022, 65 percent shall be remitted to the state and 35 percent shall be distributed by the locals;
- 2023, 60 percent shall be remitted to the state and 40 percent shall be distributed by the locals;
- 2024, 55 percent shall be remitted to the state and 45 percent shall be distributed by the locals; and
- 2025 and beyond, 30 percent shall be remitted to the state and 70 percent shall be distributed by

the locals.

For 2025 and beyond, the distribution of local funds shall be as follows:

- funds associated with vehicles registered in unincorporated areas of the county are distributed with 51 percent of the proceeds sent to the county governing authority and 49 percent of the proceeds sent to the board of education of the county school district; and
- funds associated with vehicles registered in incorporated areas of the county are distributed with 28 percent of the proceeds sent to the county governing authority, 23 percent of the proceeds sent to the municipal governing authority, and 49 percent of the proceeds sent to the board of education of the county or independent school district.

The bill also states that the combined state and local title ad valorem tax shall be 6.75 percent of the taxable value of the vehicle. The taxable value of vehicles sold by licensed motor vehicle dealers is the retail selling price minus the value of any trade-in and any rebate. The taxable value for leased vehicles is the total of the base payments plus any down payments or the agreed upon value of the vehicle pursuant to the lease agreement less any reduction for trade-in and any rebate. The reduction for the value of a trade-in vehicle is only available if the name of the owner and the vehicle identification number is included on the bill of sale. For a kit car, the taxable value is the greater of the retailer selling price of the kit or the average of the current fair market value and the current wholesale value of the vehicle. The bill also states that any motor vehicle dealer who does not submit or finalize the application for title within 30 days of the purchase shall be fined an amount less than \$500 per transaction and may be the basis for the revocation or suspension of the dealer's license. The bill allows for the local tag agent to collect and remit to the local county's general fund not more than one percent of the total to defray administrative costs. Individuals who move to Georgia shall pay a title ad valorem tax fee of four percent of the fair market value of the vehicle in one lump sum or as two equal payments. Vehicles donated to non-profit organizations shall be subject to a title ad valorem fee of one percent of the fair market value of the vehicle. TAVT fees do not apply to transfers of a title made as a result of a business reorganization when the owners being reorganized maintain the same interest or transfers for the purpose of obtaining a prestige or special license plate. A vehicle owner of a 1962 or earlier model year vehicle may opt in to the TAVT upon payment of a fee equal to one-half of one percent of the fair market value of the vehicle. The transfer of a title resulting from a divorce decree or court order is subject to a fee equal to one-half of one percent of the fair market value of the vehicle. The bill also allows for a motor vehicle dealer to apply for a refund of title ad valorem taxes on behalf of the purchaser, provided that the dealer pays the purchaser within 10 days. The bill states that temporary plates issued by vehicle dealers are to have an expiration date 45 days from the date of purchase.

Authored By:	Rep. Shaw Blackmon (146th)	Committee	02-08-2018 Do Pass by Committee
House	Ways & Means	Action:	Substitute
Committee:			

HB 352 Motor vehicles; annual license fees; exclude certain vehicles from the fee charged to alternative fueled vehicles

Bill Summary: House Bill 352 amends 40-2-151 by exempting low-speed vehicles and electric-powered personal transportation vehicles from the fees assessed on alternative-fuel vehicles.

Authored By:	Rep. Chuck Martin (49th)	Committee	02-08-2018 Do Pass by Committee
House	Ways & Means	Action:	Substitute
Committee:			

HB 664 Income tax; deduction from income for contributions to savings trust accounts; revise

Bill Summary: House Bill 664 amends 48-7-27, relating to the Georgia Higher Education Savings Plan, by increasing the limit for single filers to \$4,000 per year and for joint filers to \$8,000 per year.

Authored By:	Rep. Sam Teasley (37th)	Committee	02-08-2018 Do Pass
House	Ways & Means	Action:	
Committee:			

HB 690 Revenue and taxation; fair market value of vehicles; change a certain definition

Bill Summary: House Bill 690 amends 48-5C-1, relating to the title ad valorem tax, by specifying that the fair market value for used vehicles being leased is the total of the base payments of the lease agreement.

Authored By: Rep. Jason Ridley (6th)
House Committee: Ways & Means
Committee Action: 02-08-2018 Do Pass

HB 693 Solid waste management; authorization to enforce collection of taxes, fees, or assessments; repeal provisions

Bill Summary: House Bill 693 repeals 12-8-39.3 which allowed any city, county, or authority which operates a solid waste handling facility and/or provides solid waste collection services and collects taxes, fees, or assessments to do so, to enforce the collection of the taxes, fees, or assessments in the same manner as state taxes, fees, or assessments.

Authored By: Rep. Brett Harrell (106th)
House Committee: Ways & Means
Committee Action: 02-08-2018 Do Pass

HB 697 Sales and use tax; sale or use of tangible personal property to certain nonprofit health centers; extend exemption for five additional years

Bill Summary: House Bill 697 extends the exemption on sales and use tax to non-profit health centers and non-profit volunteer health centers to June 30, 2019.

Authored By: Rep. Darlene Taylor (173rd)
House Committee: Ways & Means
Committee Action: 02-08-2018 Do Pass by Committee Substitute

HB 735 Income tax credit; expenditures on the maintenance of a railroad track owned or leased by a Class III railroad; create

Bill Summary: House Bill 735 adds 48-7-40.34 which establishes an income tax credit for maintenance expenditures on Class III railroads. The credit of 50 percent of the maintenance expenditures is capped at \$3,500 per mile of track. Unused tax credits may be freely assigned, one time, to any taxpayer subject to Georgia income tax. The commissioner of the Department of Revenue must submit an annual report to the Senate Finance Committee and the House Ways and Means Committee which describes the number of taxpayers that claimed the credits and the number and total value of all credits issued during the previous tax year. The first report is due September 1, 2020 and the credit sunsets on January 1, 2029.

Authored By: Rep. Patty Bentley (139th)
House Committee: Ways & Means
Committee Action: 02-08-2018 Do Pass by Committee Substitute

HB 749 Income tax; retirement income is applicable as a retirement benefit from noncivilian service in the United States armed forces; clarify an exemption

Bill Summary: House Bill 749 amends 48-7-27, relating to the computation of taxable income, by specifying that income from military retirement is excluded from state income tax. The bill also states that any military retirement income received by a surviving family member of a deceased veteran is excluded from income tax regardless of the age of the surviving family member.

Authored By: Rep. Shaw Blackmon (146th)
House Committee: Ways & Means
Committee Action: 02-08-2018 Do Pass by Committee Substitute

HB 792 Waste management; sunset date for certain solid waste surcharges and hazardous waste fees; extend

Bill Summary: House Bill 792 amends 12-8-39(g) and 12-8-95.1(h), the acts relating to the Solid Waste Trust Fund and the Hazardous Waste Trust Fund, by extending the sunset provisions to July 1, 2019.

Authored By: Rep. Terry Rogers (10th)

House Committee: Ways & Means

Committee Action: 02-08-2018 Do Pass by Committee Substitute

HB 793 Sales and use tax; certain aquarium construction; provide exemption

Bill Summary: House Bill 793 amends 48-8-3, relating to exemptions from sales tax, by reinstating the exemption for tangible personal property used in renovating or expanding 501(c)(3) aquariums that charge for admission for the period of July 1, 2018 until January 1, 2022, or until the tax refund exceeds \$4.5 million. The bill also requires taxpayers seeking this exemption to electronically file the following information with the department: the total number of visitors admitted; the average monthly number of full-time employees; and the total amount of exempt purchases made by the taxpayer in the preceding calendar year. The department is required to submit a report to the chairpersons of the House Committee on Ways and Means and the Senate Finance Committee containing the information collected from taxpayers applying for this exemption.

Authored By: Rep. Dominic LaRiccia (169th)

House Committee: Ways & Means

Committee Action: 02-08-2018 Do Pass

HB 816 Revenue, Department of; mandatory fingerprinting and criminal record checks for certain individuals; provide

Bill Summary: House Bill 816 amends 48-2-6 to require mandatory fingerprinting and background checks for all prospective employees of the Department of Revenue, as well as: all personnel employed by the department after January 1, 2019 who have not received a criminal record check within the past 10 years; employees of prospective contractors of the department who may have access to confidential information; and all personnel employed by contractors of the department after January 1, 2019 who have not received a criminal record check within the past 10 years. The department's Office of Special Investigations is responsible for conducting the background checks and ensuring the fingerprints are acceptable to submit to the Georgia Crime Information Center. The Office of Special Investigations shall report the background checks to the Federal Bureau of Investigation, and the Georgia Crime Information Center shall transfer the fingerprints to the bureau.

Authored By: Rep. Micah Gravley (67th)

House Committee: Ways & Means

Committee Action: 02-08-2018 Do Pass

HB 821 Revenue and taxation; Internal Revenue Code; provisions

Bill Summary: House Bill 821 provides for the retroactive annual Internal Revenue Code (IRC) update for tax year 2017, which includes the following changes:

- 7.5 percent of adjusted gross income floor for medical expense deduction is extended through 2018 and applied to all taxpayers;
- Net operating losses may be carried forward indefinitely, but may not be carried back to apply against the prior year's tax liabilities;
- Entertainment expenses are no longer allowed as business deductions;
- Employers may not deduct the cost of providing qualified transportation fringes and other transportation benefits;
- The eligibility of building improvements for a 15-year recover period is expanded;
- Like-kind exchanges are limited to exchanges of real estate;
- The definition of "capital asset" is revised by removing patents, inventions, certain models or

designs, and secret formulas or processes; and

- Gains from investment in a Qualified Opportunity Fund are allowed to be temporarily deferred and permanently excluded if the investment is held 10 years.

The following disaster tax relief provisions are adjusted to:

- Allow write-off of hurricane losses;
- Eliminate the requirement that personal losses must exceed 10 percent of adjusted gross income to qualify for deduction;
- Give victims penalty-free access to retirement funds; and
- Suspend limitations on deductions for charitable contributions made for hurricane relief.

The bill also states that there shall be no liability for title ad valorem tax fees when obtaining a replacement title on a vehicle that is not less than 15-years old when the commissioner of the Department of Revenue is provided proof that the title no longer exists.

The bill also provides a sales and use tax exemption for jet fuel. "Jet fuel" is defined as any form of fuel that is designed for or used in the operation of aircraft powered by jet turbine or turbo prop engines. Jet fuel that is not pumped into an aircraft shall be exempt from one percent of state sales and use tax, and jet fuel that is pumped into an aircraft shall be fully exempt from state sales and use tax. Local option sales taxes and Metropolitan Atlanta Rapid Transit Authority taxes levied on jet fuel on December 30, 1987 still apply.

Authored By:	Rep. Chuck Efration (104th)	Committee	02-08-2018 Do Pass by Committee
House	Ways & Means	Action:	Substitute
Committee:			

HB 827 Income tax; increase value of rural hospital organization tax credit to 100 percent; provisions

Bill Summary: House Bill 827 amends 48-7-29.20, relating to tax credits for contributions to rural hospital organizations, by increasing the amount of the credit to 100 percent of the amount contributed. From January 1 through June 30 of each year, the contribution amount is capped at: \$5,000 for a single filer; \$10,000 for married filers; and \$10,000 for a member of a limited-liability company, a shareholder of a Subchapter 'S' corporation, or a partner in a partnership. The cap on individual contributions does not apply from July 1 through December 31, but the overall cap for the entire program of \$60 million remains. The bill also extends the sunset date to December 31, 2021.

Authored By:	Rep. Trey Kelley (16th)	Committee	02-08-2018 Do Pass by Committee
House	Ways & Means	Action:	Substitute
Committee:			

HR 238 Sales and use tax; annual allocation of 75 percent of revenue from sale of outdoor recreation equipment for protection and preservation of conservation land; provide - CA

Bill Summary: House Resolution 238 amends the Georgia Constitution by allowing the General Assembly, by general law, to provide up to 75 percent of all revenue received from the state sales and use tax on outdoor recreational equipment to the Georgia Outdoor Stewardship Trust Fund. The general law pertaining to this resolution must contain a sunset of no more than 10 years and may not be extended for more than 10 years at any time. The Georgia Outdoor Stewardship Trust Fund has the purpose of protecting and preserving conservation land.

Authored By:	Rep. Sam Watson (172nd)	Committee	02-08-2018 Do Pass by Committee
House	Ways & Means	Action:	Substitute
Committee:			

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, February 9, 2018

NO MEETINGS ARE CURRENTLY SCHEDULED

Saturday, February 10, 2018

Sunday, February 11, 2018

Monday, February 12, 2018

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

10:00 AM [FLOOR SESSION \(LD19\)](#) House Chamber

1:00 PM [Reeves Subcommittee of Judiciary \(Non-Civil\)](#) 406 CLOB

1:00 PM [APPROPRIATIONS ECONOMIC DEVELOPMENT](#) 403 CAP

1:00 PM [Education Subcommittee on Academic Achievement](#) 417 CAP

1:00 PM [DEFENSE AND VETERANS AFFAIRS](#) 132 CAP

1:00 PM [Life & Health Subcommittee of Insurance](#) 505 CLOB

2:00 PM [APPROPRIATIONS EDUCATION](#) 341 CAP