



Georgia

HOUSE OF REPRESENTATIVES

Thursday  
February 22,  
2018

# DAILY REPORT

25th  
Legislative  
Day

House Budget & Research Office  
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- The House will reconvene for its 26th Legislative Day on Friday, February 23 at 10:00 a.m.
- The Rules committee will meet at 9:00 a.m.
- 14 bills / resolutions are expected to be debated on the floor.

## Today on the Floor

### Rules Calendar

#### **HB 695 Special license plates; Georgia Forestry Foundation; establish**

Bill Summary: House Bill 695 creates a special license plate to honor Georgia's working forests and the benefits they provide. A portion of the proceeds from the sale of each plate go to the Georgia Forestry Foundation.

**Authored By:** Rep. James Epps (144th)  
**House Committee:** Motor Vehicles  
**Floor Vote:** Yeas: 169 Nays: 1

**Rule Applied:** Modified-Structured  
**Committee Action:** 01-29-2018 Do Pass  
**Amendments:**

#### **HB 714 Motor vehicles; reference date to federal regulations regarding the safe operation of motor carriers and commercial motor vehicles; update**

Bill Summary: House Bill 714 is the annual update to the 'Uniform Carriers Act.' It updates the effective date from July 1, 2017 to July 1, 2018 to comply with federal law.

**Authored By:** Rep. Terry Rogers (10th)  
**House Committee:** Motor Vehicles  
**Floor Vote:** Yeas: 169 Nays: 2

**Rule Applied:** Modified-Open  
**Committee Action:** 02-05-2018 Do Pass by Committee Substitute  
**Amendments:**

#### **HB 743 Jeremy Nelson and Nick Blakely Sudden Cardiac Arrest Prevention Act; enact**

Bill Summary: House Bill 743 creates the 'Jeremy Nelson and Nick Blakely Sudden Cardiac Arrest Prevention Act'. This Act requires the Department of Education to develop and publish guidelines relating to cardiac arrest. Students and parents are required to sign a form at the beginning of the school year prior to athletic participation stating they have received and reviewed cardiac arrest symptoms and warning signs material. If a student exhibits any of the warning signs for cardiac arrest, that student may be removed immediately and not allowed to return to play without a written release by a health care provider. A coach must review the guidelines and materials each school year and is not allowed to coach until the requirements of this Act are completed.

**Authored By:** Rep. David Clark (98th)  
**House Committee:** Education  
**Floor Vote:** Yeas: 165 Nays: 2

**Rule Applied:** Modified-Open  
**Committee Action:** 02-15-2018 Do Pass by Committee Substitute  
**Amendments:**

**HB 785 Solid waste management; certain definitions; modify and enact**

Bill Summary: HB 785 adds definitions related to solid waste management for "gasification" and "pyrolysis", which are processes facilities can use to convert certain waste materials into fuel.

<b>Authored By:</b>	Rep. Randy Nix (69th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Natural Resources & Environment	<b>Committee Action:</b>	02-15-2018 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 168 Nays: 0	<b>Amendments:</b>	

**HB 787 Education; certain provisions relative to charter schools; revise**

Bill Summary: House Bill 787 amends O.C.G.A. 20-2-270 relating to the purpose of regional education service agencies (RESAs) by including state charter schools, in addition to local school systems, as recipients of services provided by RESAs. State charter schools currently receive a supplement, in addition to state funds, to account for the lack of local funding. HB 787 revises the local funding supplement for state charter schools to provide additional capital funding to schools located in districts receiving capital allocations that exceed the statewide average by 25 percent or more. This legislation also provides a mechanism for "forward funding" to charter schools to cover the cost of exceptional enrollment growth.

<b>Authored By:</b>	Rep. Scott Hilton (95th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Education	<b>Committee Action:</b>	02-15-2018 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 111 Nays: 54	<b>Amendments:</b>	

**HB 814 Coroners; county governing authority may establish salaries and benefits; provide**

Bill Summary: House Bill 814 allows the county governing authority to establish the compensation of their coroners and deputy coroners.

<b>Authored By:</b>	Rep. Ricky Williams (145th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Governmental Affairs	<b>Committee Action:</b>	02-14-2018 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 162 Nays: 0	<b>Amendments:</b>	

**HB 826 Law enforcement; alarm monitoring company may contract out certain requirement; provide**

Bill Summary: HB 826 provides an additional carve out for alarm monitoring companies regarding the alarm verification system where law enforcement will be dispatched immediately upon the event that an alarm is triggered where the alarm user is a banking institution, a wholesaler of firearms, or a wholesaler of pharmaceuticals, who have contracted with the alarm monitoring company for such service.

<b>Authored By:</b>	Rep. Geoffrey Cauble (111th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Regulated Industries	<b>Committee Action:</b>	02-13-2018 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 167 Nays: 0	<b>Amendments:</b>	

**HB 835 Revenue and taxation; issuance of special event tobacco permits to licensed dealers; provisions**

Bill Summary: HB 835 allows for a licensed dealer engaged in the tobacco business to apply for a special event tobacco permit for the off-premise sale of cigars, cigarettes, or smokeless tobacco at a temporary location offsite from the licensed location for a period of no more than 10 days. All such permits will be issued by the commissioner of the Department of Revenue, who will also make rules and regulations regarding the application and issuance of such permits. HB 835 does not affect local ordinances regarding tobacco.

<b>Authored By:</b>	Rep. Jodi Lott (122nd)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Regulated Industries	<b>Committee Action:</b>	02-13-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 144 Nays: 24	<b>Amendments:</b>	

**HB 840 Revenue and taxation; penalties and interest in the event of military service in a combat zone; provide exemption**

Bill Summary: House Bill 840 amends 48-13-21 to provide an exemption to the penalties relating to unpaid special, occupation, or sales taxes and license, regulatory, or administrative fees for members of the military serving in a combat zone, who upon return from duty, make full payment of taxes and fees that are received within 60 days.

**Authored By:** Rep. Bill Hitchens (161st)  
**House Committee:** Ways & Means  
**Floor Vote:** Yeas: 166 Nays: 0

**Rule Applied:** Structured  
**Committee Action:** 02-15-2018 Do Pass by Committee Substitute  
**Amendments:**

**HB 853 Quality Basic Education Act; children placed in psychiatric residential treatment facilities may not be charged tuition; provide**

Bill Summary: House Bill 853 amends O.C.G.A. 20-2-133, relating to the authorization of local school systems to charge non-resident student tuition or fees, by expanding the list excluding certain types of students from tuition charges. This legislation includes a provision that a child who is placed in a psychiatric residential treatment facility pursuant to a physician's order cannot be charged tuition or fees.

**Authored By:** Rep. Katie Dempsey (13th)  
**House Committee:** Education  
**Floor Vote:** Yeas: 168 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-15-2018 Do Pass  
**Amendments:**

**HB 876 Buildings and housing; counties and municipalities proscribing the use of wood in the construction of certain buildings when state minimum standard codes are met; prohibit**

Bill Summary: HB 876 prohibits counties and municipalities from preventing the use of wood as a construction material, so long as it meets the Georgia State Fire Code and other relevant state codes.

**Authored By:** Rep. John Corbett (174th)  
**House Committee:** Agriculture & Consumer Affairs  
**Floor Vote:** Yeas: 125 Nays: 43

**Rule Applied:** Modified-Open  
**Committee Action:** 02-14-2018 Do Pass  
**Amendments:**

**HB 907 Public officers and employees; appointment and election of successor in event of vacancy in the office of district attorney; provide**

Bill Summary: House Bill 907 allows the governor to appoint a replacement, rather than hold a special election, to fill the unexpired term of a vacant office of District Attorney. This process mirrors that of Superior Court Judges.

**Authored By:** Rep. Barry Fleming (121st)  
**House Committee:** Governmental Affairs  
**Floor Vote:** Yeas: 116 Nays: 56

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-14-2018 Do Pass  
**Amendments:**

**HB 918 Revenue and taxation; Internal Revenue Code; provisions**

Bill Summary: House Bill 918 provides for the annual IRC update for the 2017 and 2018 tax years 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 prior year's tax liabilities;
- Entertainment expenses are no longer allowed as business deductions;
- Transportation fringes and other transportation benefits are no longer qualified deductions for employers providing the benefits;
- 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;
- Gains from investment in a Qualified Opportunity Fund are allowed to be temporarily deferred and permanently excluded if the investment is held 10 years; and,
- Disaster tax relief provisions, that:
  - Allow write-off of hurricane losses;
  - Suspend limitations on deductions for charitable contributions made for hurricane relief;
  - Give victims penalty-free access to retirement funds; and,
  - Eliminate the requirement that personal losses must exceed 10 percent of adjusted gross income to qualify for deduction.

The bill also doubles the state income tax standard deduction to \$4,600 for single filers, \$3,000 for married filing separately, and \$6,000 for married filing jointly. The top personal income tax bracket rate and the corporate income tax rate are reduced to 5.75 percent in tax year 2019 and 5.50 percent in tax year 2020. The rate reduction for 2020 is dependent upon the General Assembly passing a joint resolution affirming the change and the resolution being signed by the governor. The changes in this bill expire on December 31, 2025. 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.

Finally, the bill 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 Efstoration (104th)  
**House Committee:** Ways & Means  
**Floor Vote:** Yeas: 134 Nays: 36

**Rule Applied:** Structured  
**Committee Action:** 02-20-2018 Do Pass by Committee Substitute  
**Amendments:**

## Next on the Floor from the Committee on Rules

*The Committee on Rules has fixed the calendar for the 26th Legislative Day, Friday, February 23 and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Friday, February 23, at 9:00 a.m., to set the Rules Calendar for the 27th Legislative Day.*

### **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)  
**House Committee:** Ways & Means

**Rule Applied:** Structured  
**Committee Action:** 02-08-2018 Do Pass

### **HB 732 Crimes and offenses; trafficking an individual for sexual servitude; provisions**

Bill Summary: HB 732 allows 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.

**Authored By:** Rep. Deborah Silcox (52nd)  
**House Committee:** Judiciary Non-Civil

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-15-2018 Do Pass

### **HB 784 Specialty license plates; promote conservation of waterfowl populations and their habitats; establish**

Bill Summary: House Bill 784 creates a specialty license plate to promote the conservation and enhancement of waterfowl populations and their habitats. A portion of the proceeds from the sale of this plate goes to the Wildlife Resources Division of the Department of Natural Resources.

**Authored By:** Rep. Matt Dubnik (29th)  
**House Committee:** Motor Vehicles

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-12-2018 Do Pass by Committee Substitute

### **HB 790 State government; recommendations of the Court Reform Council; implement**

Bill Summary: HB 790 revises the Georgia Code relating to the Office of State Administrative Hearings (OSAH) and administrative law judges (ALJ).

The bill requires an agency with a request for a hearing in a contested case to forward the request to OSAH within 30 days of receipt, or the party can file directly with OSAH.

An administrative law judge has the authority to impose civil penalties, of not less than \$100 nor more than \$1,000, for failure to obey their orders or for other improper conduct, and the superior court in the county where the violation occurred shall enforce those penalties. Additionally, ALJs are authorized to issue writs for the collection of these penalties, and all penalties and costs assessed shall be tendered and made payable to OSAH and deposited in the general fund of the state treasury.

Administrative law judges have the power to determine the ultimate decision in contested cases, but those decisions are still subject to review by the Fulton County Superior Court or the superior court of the county where the petitioner maintains his or her residence or principle place of business; however, for "contested cases" referred to OSAH by an agency of the executive branch where the determination by the ALJ is against the agency, the decision is merely an advisory opinion with the ultimate decision and reviewing authority remaining with the executive agency.

Finally, the issuance of subpoenas by an ALJ are governed by traditional evidence rules.

**Authored By:** Rep. Chuck Efstrotation (104th)  
**House Committee:** Judiciary

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-13-2018 Do Pass

**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, average monthly number of full-time employees, and 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.

The bill also adds an exemption for state and local sales tax for tangible personal property used for the construction of a museum. Museum is defined as a 501(c)(3) designated facility, having a primary mission of celebrating the diverse heritage of automobiles, that contains a main building with a permanent gallery of at least 57,000 square feet, three temporary galleries, a theatre, a garage for restoration or storage of at least 26,500 square feet, and an outdoor pavilion. All tangible personal property that will remain at the museum after completion of construction are eligible for the exemption. The exemption applies from July 1, 2018 until December 31, 2020 and is capped at \$960,000. Sales tax must be paid at the time of purchase by either the qualifying organization or a contractor working for the organization and a refund will be issued after the organization files a claim with the department. An organization claiming the exemption must annually submit a report to the department which includes the total number of visitors admitted, the average monthly number of full-time employees, and the total amount of exempt purchases made in the preceding year. The department must then submit the report to chairpersons of the House Committee on Ways and Means and the Senate Finance Committee.

<b>Authored By:</b>	Rep. Dominic LaRiccia (169th)	<b>Rule Applied:</b>	Structured
<b>House Committee:</b>	Ways & Means	<b>Committee Action:</b>	02-15-2018 Do Pass by Committee Substitute

**HB 809 Motor vehicles; Georgia State Patrol motor vehicles for traffic law enforcement may be a solid color; provide**

Bill Summary: House Bill 809 allows for Georgia State Patrol cars to be painted a solid color or a two-toned uniform color.

<b>Authored By:</b>	Rep. Bill Hitchens (161st)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Public Safety & Homeland Security	<b>Committee Action:</b>	02-19-2018 Do Pass

**HB 815 Special license plates; Georgia Masonic Charities; establish**

Bill Summary: House Bill 815 amends the provisions relating to the special license plates honoring Georgia Masonic Charities. Currently all proceeds from the sale of this plate are deposited into the general fund. This bill allows a portion of the proceeds to be disbursed to the Georgia Masonic Charities Foundation, Inc.

<b>Authored By:</b>	Rep. Chuck Martin (49th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Motor Vehicles	<b>Committee Action:</b>	02-12-2018 Do Pass

**HB 818 Insurance; health care provider shall choose the method of reimbursement by insurer; provide**

Bill Summary: House Bill 818 allows healthcare providers to choose the method of reimbursement from insurers.

<b>Authored By:</b>	Rep. Lee Hawkins (27th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Insurance	<b>Committee Action:</b>	02-21-2018 Do Pass

**HB 825 Death investigations; chief medical examiner to inter and disinter unidentified human remains under certain circumstances; allow**

Bill Summary: HB 825 allows a chief medical examiner to inter unidentified human remains after authorities have exhausted all efforts in identifying those remains. Moreover, the bill allows a chief

medical officer to disinter unidentified human remains when the chief medical examiner determines that further testing may result in the identification of those remains.

**Authored By:** Rep. Ricky Williams (145th)  
**House Committee:** Judiciary Non-Civil

**Rule Applied:** Modified-Open  
**Committee Action:** 02-15-2018 Do Pass

### **HB 830 Controlled substances; Schedule I and II; change certain provisions**

**Bill Summary:** HB 830 is the annual controlled substance update regarding Schedule I, II, IV, and V drugs to include new synthetic opiates and synthetic marijuana.

**Authored By:** Rep. Buddy Harden (148th)  
**House Committee:** Judiciary Non-Civil

**Rule Applied:** Modified-Structured  
**Committee Action:** 02-15-2018 Do Pass

### **HB 833 Professions and businesses; professional land surveyors; change provisions**

**Bill Summary:** HB 833 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 grandfathers 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:** Rep. Paulette Rakestraw (19th)  
**House Committee:** Regulated Industries

**Rule Applied:** Open  
**Committee Action:** 02-13-2018 Do Pass by Committee Substitute

### **HB 847 Psychology Interjurisdictional Compact; enter into an interstate compact**

**Bill Summary:** HB 847 creates the Psychology Interjurisdictional Compact and authorizes the State Board of Examiners of Psychologists to administer the operations of the compact in Georgia. Moreover, the bill provides for a coordinated licensure information system among the states entering into the compact. HB 847 would allow psychologists to practice telepsychology in states in which they are not licensed but are members of the compact.

**Authored By:** Rep. Joyce Chandler (105th)  
**House Committee:** Regulated Industries

**Rule Applied:** Modified-Open  
**Committee Action:** 02-20-2018 Do Pass

### **HB 849 Income tax; reporting of federal partnership adjustments; provisions**

**Bill Summary:** House Bill 849 amends 48-7-21, 48-7-27, and 48-7-53, relating to the federal partnership adjustments and assessments, by implementing federal adjustments allowing partners, who are members of a state partnership entity, to pay the partnership's full state tax liability when audited. This changes the Code's current requirement for each individual partner to separately pay their own partnership tax. One partner paying the full state tax liability on behalf of the partnership does not grant the paying partner a deduction or credit for paid amounts, a refund on paid amounts, or add to the paying partners return.

House Bill 849 also requires reporting requirements for partnerships to be subject to final federal adjustments and provides a final determination date in which the federal audit changes have to be reported to the state. The Department of Revenue's commissioner has the ability to determine a de minimis amount of tax liability owed to the state, and partners are allowed to file refund claims of Georgia income tax that arise from final federal adjustments. The commissioner is also responsible for assessing the Georgia income tax, interest, and penalties arising from all final adjustments.

**Authored By:** Rep. Allen Peake (141st)  
**House Committee:** Ways & Means

**Rule Applied:** Structured  
**Committee Action:** 02-15-2018 Do Pass

**HB 867 Georgia Peace Officer Standards and Training Council; quorum for transaction of business; revise**

Bill Summary: House Bill 867 changes the quorum requirement for the Georgia Peace Officers Standards and Training Council to conduct business from seven members to eleven members. This legislation also authorizes investigators appointed by the executive director of the council to retain their weapon and badge upon retirement. This bill removes the 30-day wait period between academy entrance exams for peace officers who do not perform satisfactorily. Additionally the bill removes the entrance exam for persons who hold a degree from an accredited post secondary institution. Lastly, the section related to training and certification of police chaplains is repealed.

**Authored By:** Rep. Bill Hitchens (161st)

**House Committee:** Public Safety & Homeland Security

**Rule Applied:**

**Committee**

**Action:**

Modified-Open

02-14-2018 Do Pass by Committee

Substitute

## Committee Actions

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

### Education Committee

#### **HB 494 Early care and learning; safety of children in early care and education programs; revise certain provisions**

**Bill Summary:** House Bill 494 amends Code Section 20-1A-13 relating to early care and learning programs to allow hearsay evidence during preliminary hearings when determining if emergency placement of monitors and emergency closures are appropriate or needed at a program. HB 494 replaces the current requirement for fingerprint background checks for employees of early care and education programs by requiring a comprehensive records check in addition to a fingerprint background check. A comprehensive records check is defined in this legislation as a Federal Bureau of Investigation fingerprint check, a search of the National Crime Information Center's National Sex Offender Registry and requires the search of other state level criminal and sex offender registries or repositories. This legislation also provides that comprehensive record checks are no longer valid after an individual has been separated from employment for more than 180 consecutive days at an early care and education program.

**Authored By:** Rep. Katie Dempsey (13th)

**House** Education

**Committee:**

**Committee** 02-22-2018 Do Pass by Committee  
**Action:** Substitute

#### **HB 718 Education; certain absences of students with parents in service of the armed forces of the United States; excuse**

**Bill Summary:** House Bill 718 amends O.C.G.A. 20-2-692.1 relating to the compulsory attendance of students whose parent or guardian currently or previously served in the armed forces or reserves by allowing schools to grant excused absences, up to five per year for a maximum of two years, for students who attend a military affairs sponsored event. Students who wish to attend a military affairs sponsored event and receive excused absence for such attendance must provide documentation to the school system prior to the absence from a provider of care at or sponsored by a medical facility of the United States Department of Veterans Affairs or an event sponsored by a corporation exempt from taxation.

**Authored By:** Rep. Sandra Scott (76th)

**House** Education

**Committee:**

**Committee** 02-22-2018 Do Pass by Committee  
**Action:** Substitute

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

**Bill Summary:** House Bill 781 revises O.C.G.A. 48-8-141 the authorized uses for the education special purpose local option sales tax (ESPLOST). This legislation provides flexibility to local school systems by expanding the allowable use of ESPLOST revenue to include retirement of previously incurred general obligation debt for capital outlay projects and specific maintenance and educational program expenses in addition to capital outlay projects. Local school boards may choose to use up to 35 percent of ESPLOST revenue for specific maintenance and educational program 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.

This legislation will become effective January 1, 2019 upon the ratification of a resolution at the November, 2018 general election.

**Authored By:** Rep. Kevin Tanner (9th)

**House** Education

**Committee:**

**Committee** 02-22-2018 Do Pass by Committee  
**Action:** Substitute

**HB 844 Georgia Commission on Hearing Impaired and Deaf Persons; revise provisions**

Bill Summary: House Bill 844 renames the "Georgia Commission on Hearing Impaired and Deaf Persons" to "The Georgia Commission for Deaf or Hard of Hearing". This legislation expands the commission from seven to ten members and requires one member be deaf or hard of hearing whose primary language is American Sign Language, one member be deaf or hard of hearing whose primary languages are Spoken English and American Sign Language, one member who is deaf-blind, and one member who is deaf or hard of hearing whose primary language is Spoken English.

HB 844 also creates a multiagency task force within the commission to make recommendations to the General Assembly and the Governor for improvements to the state-wide system of developmental and educational services for children from birth to third grade who are deaf or hard of hearing. This legislation requires the taskforce to work with stakeholders at the Department of Public Health, the Department of Early Care and Learning, and the Department of Education to ensure a seamless, integrated system of care from birth to literacy for children who are deaf or hard of hearing.

<b>Authored By:</b>	Rep. Penny Houston (170th)	<b>Committee</b>	02-22-2018 Do Pass by Committee
<b>House</b>	Education	<b>Action:</b>	Substitute
<b>Committee:</b>			

**HB 971 Education; home study and private school students to take PSAT and advanced placement exams through local school system under certain conditions; allow**

Bill Summary: House Bill 971 creates O.C.G.A. 20-2-324.4 which allows students in private schools, Non-Traditional Educational Centers, or home educated students access to local school system Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) or Advanced Placement (AP) testing. The Governor's Education Reform Commission recommended private and home school access to testing in its final report in 2015. Local school systems would have to make every effort to make testing available to students who reside within the local school system or students in neighboring systems if the student's resident school system does not provide such testing. This legislation requires local school systems and schools that offer the PSAT/NMSQT or AP exams to post the date of the exam, registration dates, and procedures on its website.

<b>Authored By:</b>	Rep. Joyce Chandler (105th)	<b>Committee</b>	02-22-2018 Do Pass by Committee
<b>House</b>	Education	<b>Action:</b>	Substitute
<b>Committee:</b>			

**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 35 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.

<b>Authored By:</b>	Rep. Kevin Tanner (9th)	<b>Committee</b>	02-22-2018 Do Pass by Committee
<b>House</b>	Education	<b>Action:</b>	Substitute
<b>Committee:</b>			

**HR 1036 State of Georgia; fund public awareness campaign in support of computer science education; urge**

Bill Summary: House Resolution 1036 urges the State of Georgia to fund a public awareness campaign in support of computer science education. This resolution states the high demand for computer science skills in Georgia and lists the average wage earnings for computing occupations which are significantly higher than the state average salary. HR 1036 urges a comprehensive

statewide campaign including a summit, counselor and administrator awareness, and enhancing awareness for curriculum options for students to encourage students to enter computer science careers.

**Authored By:** Rep. Dar'shun Kendrick (93rd)  
**House Committee:** Education  
**Committee Action:** 02-22-2018 Do Pass

### **HR 1162 House Study Committee on the Establishment of a State Accreditation Process; create**

**Bill Summary:** House Resolution 898 creates the House Study Committee on the Establishment of a State Accreditation Process to determine if a state accreditation entity should be created in Georgia for the purpose of accrediting primary and secondary public schools or local school systems.

**Authored By:** Rep. Brooks Coleman (97th)  
**House Committee:** Education  
**Committee Action:** 02-22-2018 Do Pass

## **Energy, Utilities & Telecommunications Committee**

### **HB 336 Broadband Strategy for All of Georgia Act; enact**

**Bill Summary:** This bill, the "Broadband Strategy for All of Georgia Act," allows for political subdivisions to apply for certification as broadband ready communities with the Department of Economic Development. It also states the Georgia Emergency Management and Homeland Security Agency (GEMA) will develop an annual report providing guidance for achieving enhanced broadband deployment to 99.5% of all households and 99.8% of all businesses by 2024.

A broadband ready community is one that has enacted an ordinance for reviewing applications and issuing permits related to broadband projects. According to the bill, a broadband ready community will appoint a single point of contact for broadband projects. Additionally, the subdivision must approve or deny an application for a permit within 60 days of receiving a complete application. Any fees involved with applications or permits must be reasonable. An unreasonable fee is stated to be anything over \$100.

The Department of Economic Development can create a model ordinance with the necessary requirements that political subdivisions have to use; however, if the subdivision chooses to create its own ordinance, it must explain in writing to the Department of Economic Development how its ordinance differs with the model ordinance.

At the request of a broadband service provider, the Department of Economic Development can decertify a subdivision if it violates or is out of compliance with the broadband ready community ordinance.

Additionally, GEMA shall submit an annual report to the governor and the General Assembly on or before November 1 of each year. The report will provide guidance for achieving broadband employment to 99.5% of all households and 99.8% of all business by 2024.

**Authored By:** Rep. Don Parsons (44th)  
**House Committee:** Energy, Utilities & Telecommunications  
**Committee Action:** 02-22-2018 Do Pass by Committee Substitute

## **Intragovernmental Coordination Committee**

### **HB 934 Thomas County; Magistrate Court chief judge; provide nonpartisan elections**

**Bill Summary:** This bill provides that future elections for the office of chief judge of the Magistrate Court of Thomas County shall be nonpartisan.

**Authored By:** Rep. Darlene Taylor (173rd)  
**House Committee:** Intragovernmental Coordination  
**Committee Action:** 02-22-2018 Do Pass

**Intragovernmental Coordination - Local Committee****HB 900 Lamar County; Board of Education; revise compensation of members and chairperson**

Bill Summary: This bill changes the compensation of the members and chairperson of the Lamar County Board of Education to \$500 per month, with the chairperson receiving an additional \$150 per month.

**Authored By:** Rep. Johnnie Caldwell (131st)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 02-22-2018 Do Pass

**HB 901 Adrian, City of; revise terms of office of mayor and city council members**

Bill Summary: This bill revises the terms of the office of the mayor and members of the city council of the City of Adrian.

**Authored By:** Rep. Matt Hatchett (150th)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 02-22-2018 Do Pass

**HB 911 Griffin, City of; provide for mayor and mayor pro tem**

Bill Summary: This bill provides for a mayor and a mayor pro tem for the City of Griffin.

**Authored By:** Rep. David Knight (130th)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 02-22-2018 Do Pass

**HB 912 Spalding County; State Court; provide for imposition of court costs in certain criminal cases**

Bill Summary: This bill states a person who is ordered to pay a fine for, convicted of, pleads guilty to, or enters a plea of no contest in the State Court of Spalding County to any violation shall pay court costs, not to exceed \$50, unless otherwise ordered by the sentencing judge. Any person who fails to appear for a scheduled court appearance shall pay a failure to appear fee, not to exceed \$100, unless otherwise ordered by the judge.

**Authored By:** Rep. David Knight (130th)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 02-22-2018 Do Pass

**HB 921 Cave Spring, City of; levy an excise tax**

Bill Summary: This bill authorizes the City of Cave Spring to levy an excise tax.

**Authored By:** Rep. Eddie Lumsden (12th)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 02-22-2018 Do Pass

**HB 933 Dillard, City of; eliminate one council post**

Bill Summary: This bill eliminates one council post in the City of Dillard.

**Authored By:** Rep. Matt Gurtler (8th)  
**House Committee:** Intragovernmental Coordination - Local  
**Committee Action:** 02-22-2018 Do Pass

**HB 942 Savannah State Farmers Market Authority Act; enact**

Bill Summary: This bill creates the Savannah State Farmers Market Authority.

**Authored By:** Rep. Carl Gilliard (162nd)

**House Committee:** Intragovernmental Coordination - Local      **Committee Action:** 02-22-2018 Do Pass

**HB 945 Macon-Bibb County; ad valorem tax; provide homestead exemption**

Bill Summary: This bill provides a homestead exemption, which has the effect of a valuation freeze, from Macon-Bibb County ad valorem taxes for county purposes.

**Authored By:** Rep. Allen Peake (141st)  
**House Committee:** Intragovernmental Coordination - Local      **Committee Action:** 02-22-2018 Do Pass

**HB 946 Houston County; Board of Education; modify compensation of members**

Bill Summary: This bill changes the compensation of the members of the Houston County Board of Education. Board members will be paid \$600 per month in addition to \$100 for meetings other than regular school board meetings. The special meeting compensation is limited to four times in a month.

**Authored By:** Rep. Heath Clark (147th)  
**House Committee:** Intragovernmental Coordination - Local      **Committee Action:** 02-22-2018 Do Pass

**HB 952 Dahlonega, City of; filling of vacancies; provide**

Bill Summary: This bill states if there is a vacancy in one or more elected offices of the City of Dahlonega, the remaining elected officials shall appoint a qualified person to fill the unexpired term. The appointee shall not be eligible to run in the next succeeding election.

**Authored By:** Rep. Kevin Tanner (9th)  
**House Committee:** Intragovernmental Coordination - Local      **Committee Action:** 02-22-2018 Do Pass

## Judiciary Committee

**HB 791 State government; limited waiver of the state's sovereign immunity for declaratory or injunctive relief under certain circumstance; provide**

Bill Summary: This bill provides a limited waiver of sovereign immunity (the immunity from suit enjoyed by the state and its political subdivisions, unless a waiver is provided by the General Assembly) for declaratory (judicial determination without an award of damages) and injunctive relief (an order to prevent an act from occurring or from continuing to occur) against the State in Part 1 and for such claims against all other political subdivisions thereof, including counties and municipalities, in Part 2. Part 3 address the limited waiver for quiet title claims (the process used to clear any "cloud" on the plaintiff's title to property and confirm the status of who owns the property brought in a court having jurisdiction over that property) against the state or its political subdivisions thereof.

### Part 1

This waiver in Part 1 is limited to claims against the State, a State governmental entity, officer, or employee in his or her official capacity to remedy, through declaratory or injunctive relief, injuries caused or that may be caused from enforcement of a state statute because such enforcement violates or could violate the Constitution of Georgia or the Constitution of the United States, but only if that person provides the court with proof of service upon the Attorney General or his or her designee and the state governmental entity that is charged with enforcing the state statute being challenged. This bill neither alters nor amends any other waiver or prohibited waiver of sovereign immunity provided by state law nor applies to any claim for violations of federal law or brought in federal court; for monetary relief, attorney's fees, or expenses of litigation except as provided for abuses of litigation; contract claims; or brought by, or on behalf of, an individual in a penal institution or a state mental health facility.

Moreover, this portion of the bill clarifies official immunity for state officers and employees. State officers and employees shall not be subject to a suit in his or her individual capacity for performance or nonperformance of his or her official duties. Where a suit names a state officer or employee in his or her individual capacity, under proper motion the court shall substitute as the party defendant such officer or employee in his or her official capacity, unless such suit is expressly authorized by state statute or federal law or the suit alleges the officer's or employee's conduct was outside his or her scope of authority, unconstitutional, or illegal then official immunity is waived.

#### Part 2

This waiver of sovereign immunity in Part 2 is limited to claims against a county, municipal corporation, consolidated government, or school district of this state ("political subdivision"), but not the State, to remedy, through declaratory or injunctive relief, injuries caused to an aggrieved person or that may be caused by such political subdivisions acting without lawful authority, beyond the scope of its official power, or in violation of the Constitution of Georgia, the Constitution of the United States, a state statute, local ordinance, or State agency rule.

Similar to Part 1, this bill neither alters nor amends any other waiver or prohibited waiver of sovereign immunity provided by state law nor applies to any claim for violations of federal law or brought in federal court; for monetary relief, attorney's fees, or expenses of litigation except as provided for abuses of litigation; or contract claims. Exempt from that list are claims brought by, or on behalf of, an individual in a penal institution or a state mental health facility. Official immunity of political subdivision officers is not addressed. Additionally, the bill clarifies that sovereign immunity is waived for claims against political subdivisions for breach of contract.

#### Part 3

Lastly, the State and its political subdivision's defense of sovereign immunity, including municipal corporations, is waived in quiet title proceedings. Where title to property or an instrument is held by the state or any state entity then in in such proceedings to clear title, notwithstanding any law to the contrary, the pleadings shall be served on the Attorney General and the state or any department, agency, commission, board, authority, or entity thereof allegedly holding such title. If the Attorney General does not file a responsive pleading in such actions then the court shall accept the state's acquiescence to the petitioner's filed claim for relief.

<b>Authored By:</b>	Rep. Chuck Efstation (104th)	<b>Committee</b>	02-22-2018 Do Pass by Committee
<b>House</b>	Judiciary	<b>Action:</b>	Substitute
<b>Committee:</b>			

### **HB 808 Courts; term of court in certain counties in the Waycross Circuit; change**

**Bill Summary:** This bill amends the calendar terms for the superior courts in the Waycross Circuit. The provisions relating to a term beginning on the Tuesday following a state holiday occurring on a Monday and being closed for that state holiday are removed. Additionally, the circuit is given discretion on when to schedule impaneling a grand jury, rather than requiring one be impaneled on the first day of each new term.

<b>Authored By:</b>	Rep. Chad Nimmer (178th)	<b>Committee</b>	02-22-2018 Do Pass
<b>House</b>	Judiciary	<b>Action:</b>	
<b>Committee:</b>			

### **HB 812 Local government; fees and costs in magistrate courts and law libraries; provisions**

**Bill Summary:** This bill exempts magistrate courts from the courts that may collect a maximum fee of \$5.00, in addition to all other legal costs for proceedings filed in that court, in order to provide funds to the treasurer of the board of trustees of the county law library to purchase of law books, and other related texts and general maintenance, upkeep, and operation of the law library including the services of a librarian.

**Authored By:** Rep. Chad Nimmer (178th)  
**House Committee:** Judiciary  
**Committee Action:** 02-22-2018 Do Pass

**HB 834 Landlord and tenant; termination of a rental or lease agreement under circumstances involving family violence; provide**

Bill Summary: This bill allows a tenant to terminate a residential rental agreement without being subject to penalties when the tenant or the tenant's minor child is a victim of family violence (generally any felony, stalking, trespass, etc.). The tenant must present a written notice of termination and either a copy of a temporary or permanent protective order due to family violence, or a pre-trial release or order of probation due to an act of family violence. If the temporary order was issued ex parte, which is a decision by a judge without requiring all parties in the controversy to be present, then the tenant must also have a police report. The termination is effective 30 days after presentation, even if that victim has no obligation to pay rent (ex: tenant's minor child). The tenant may occupy the premises until the termination effective date and remains liable for the rent due, prorated to the effective date and including any delinquent or unpaid amounts. If the tenant terminates a rental or lease agreement under these circumstances 14 or more days prior to occupancy, no damages or penalties of any kind will be assessed. This code section shall only apply to rental or lease agreements entered into, renewed, modified, or extended on or after July 1, 2018.

Additionally, the bill amends code sections relating to a landlord obtaining fees for damage done to the property, by clarifying that the premises are to be inspected by the landlord and a list is to be compiled and provided to the tenant either upon: termination of the residential lease and the premises are vacated; the surrender and acceptance of the premises; or when the tenant has abandoned or surrendered the premises.

Also, if a court issues an order of temporary relief ex parte then the order will be in effect until the court issues an order dismissing the previous order or until a hearing occurs. Now, within ten days or no later than 45 days of filing a petition for past or future family violence a hearing shall be held in which the petitioner must prove the allegations by a preponderance of the evidence, whereas previously the hearing had to be heard within ten to 30 days of the filing of the petition. Additionally, if the hearing cannot be held within 45 days of filing in the county in which it was filed, a hearing must be held in another county of the circuit. Further, if the hearing is not held within 45 days of filing, the petition will be dismissed unless the parties agree otherwise.

**Authored By:** Rep. Mandi Ballinger (23rd)  
**House Committee:** Judiciary  
**Committee Action:** 02-22-2018 Do Pass by Committee Substitute

**HB 904 Torts; effect of a landowner charging an admission price or fee; clarify provisions**

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 person so injured is specifically charged a fee.

**Authored By:** Rep. Meagan Hanson (80th)  
**House Committee:** Judiciary  
**Committee Action:** 02-22-2018 Do Pass

**HB 920 Domestic relations; department's information concerning the parties to an adoption under certain circumstances; allow for the use**

Bill Summary: This bill expands the Department of Human Services use of its records regarding adopted children, their biological parents, and adoptive parents when such child dies, suffers a near fatality, or is an alleged victim of child abuse, as opposed to just when the department is investigating child abuse concerning the child's biological parents or regarding a subsequent

adoption matter involving the same adoptive parents or similar matters.

**Authored By:** Rep. Katie Dempsey (13th)  
**House Committee:** Judiciary  
**Committee Action:** 02-22-2018 Do Pass

### **HB 969 Civil practice; burden of proof required for civil forfeiture proceedings; change**

**Bill Summary:** This bill amends a code section relating to the state's burden of proof in a civil forfeiture proceeding, which is when the state confiscates an individual's property that is suspected of being used in facilitating a crime or was acquired as a result of criminal activity. The civil forfeiture proceeding occurs during the pendency of criminal proceedings prior to obtaining a conviction. The bill raises the state's burden of proof and requires the state to show by clear and convincing evidence, rather than by a preponderance of the evidence, that seized property is subject to civil forfeiture. The same change in burden has also been applied for the state to establish a rebuttable presumption that property is subject to forfeiture.

**Authored By:** Rep. Scot Turner (21st)  
**House Committee:** Judiciary  
**Committee Action:** 02-22-2018 Do Pass

### **HB 986 Waycross Judicial Circuit; judges of superior courts; increase supplements**

**Bill Summary:** HB 986 allows the governing authority of each county in the Waycross Judicial Circuit to supplement the salaries, expenses, and allowances of superior court judges not to exceed the amounts as follows per month: Bacon \$450.00, Brantley \$550.00, Charlton \$450.00, Coffee \$700.00, Pierce \$550.00, and Ware 700.00 per month. This act is effective January 1, 2019.

**Authored By:** Rep. Chad Nimmer (178th)  
**House Committee:** Judiciary  
**Committee Action:** 02-22-2018 Do Pass

### **HB 998 Judicial Council; Office of Business Cases; establish**

**Bill Summary:** This bill establishes the Office of Business Cases within the Judicial Council. The office may accept cases brought pursuant to the Georgia Uniform Securities Act of 2008, the Uniform Commercial Code, as well as other business related codes and acts. The amount in controversy in such cases must be at least \$1 million, and any case brought in superior or state court may be referred to the office by the chief judge of such courts, the judge assigned to the case, or upon agreement of the parties.

If the office accepts the case, the judge currently assigned to the case must issue an order recognizing the office for all pretrial matters and motions in the case, and the office shall appoint a special master who will have the ability to hear pretrial matters, motions, and order non binding alternative dispute resolution as needed by each case. If the case is not resolved after hearing and pretrial matters and motions, it shall exit the office and be tried in superior or state court.

Lastly, the Judicial Council shall devise rules and regulations for (1) management and administration of the office, (2) accepting cases into the office, (3) providing criteria for selection of special masters, with the requirement that special masters have ten years' experience practicing law and have knowledge of complex business litigation, (4) scheduling of pretrial motions and matters, and (5) conditioning acceptance of a case upon payment of a fee not to exceed \$2500.

**Authored By:** Rep. Wendell Willard (51st)  
**House Committee:** Judiciary  
**Committee Action:** 02-22-2018 Do Pass

**HR 993 Business court; state-wide jurisdiction; create - CA**

Bill Summary: HR 993 proposes an amendment to the Georgia Constitution that would create a state-wide business court. The amendment would give the newly formed business court the judicial power of the state. The provisions of the amendment would be effective within 24 months after having been voted on and approved by a public referendum. All cases brought before the business court may have pretrial proceedings in any county, however venue for trials brought before the business court shall be determined according to traditional venue rules provided by the Code. The business court shall have state-wide jurisdiction and equity powers. Business court judges will be appointed by the Governor to a five-year term and may be reappointed at the end of their term. Initial terms can be provided for by general legislation. To qualify as a business court judge, the appointee must have been admitted to the practice of law for seven years and have significant experience in business or other complex litigation.

<b>Authored By:</b>	Rep. Chuck Efstroation (104th)	<b>Committee</b>	02-22-2018 Do Pass by Committee
<b>House</b>	Judiciary	<b>Action:</b>	Substitute
<b>Committee:</b>			

**Natural Resources & Environment Committee****HB 332 Georgia Outdoor Stewardship Act; enact**

Bill Summary: House Bill 332 creates the Georgia Outdoor Stewardship Trust Fund and dedicates .40 percent of all revenues from the state sales and use tax to the fund. In the event that state sales and use tax revenue decreases by at least 10 percent from the preceding year, the amount credited to the trust fund shall be reduced by 20 percent. Funds in the trust shall be made available as grants and loans to cities, counties, departments, agencies, or non-governmental entities of the state for the acquisition of land for the purposes of maintenance or restoration projects of the Department of Natural Resources at protected conservation land and to acquire land for the provision or protection of clean water, wildlife, hunting, fishing, military installation buffering, or for natural resource-based outdoor recreation. The trust fund shall also make money available for loans to any city, county, or nongovernmental entity to aid with the costs of conservation land or conservation easements. The Georgia Environmental Finance Authority will manage and administer the fund.

HB 332 is the enabling legislation for HR 238.

<b>Authored By:</b>	Rep. Sam Watson (172nd)	<b>Committee</b>	02-22-2018 Do Pass by Committee
<b>House</b>	Natural Resources & Environment	<b>Action:</b>	Substitute
<b>Committee:</b>			

**HB 879 Water resources; notice to local governing authorities prior to the dewatering of coal combustion residual surface impoundments; provide**

Bill Summary: HB 879 requires that the owner or operator of a coal combustion residual (CCR) surface impoundment provide written notice to the director of the Environmental Protection Division (EPD) and the local governing authority within three days of the commencement of a dewatering operation. The director of EPD must post a public notice on the division's website within seven days of receiving said notice. The owner or operator of the CCR surface impoundment must also post CCR rule compliance data in a public notice on their website as well as publish such notice in the legal organ of the affected county within 14 days.

<b>Authored By:</b>	Rep. J. B. Jones (167th)	<b>Committee</b>	02-22-2018 Do Pass by Committee
<b>House</b>	Natural Resources & Environment	<b>Action:</b>	Substitute
<b>Committee:</b>			

**HB 885 Georgia Air Quality Act; limitations on powers of certain Boards and Departments; revise certain provisions**

Bill Summary: HB 885 prohibits the Board of Natural Resources, the Department of Natural Resources, or the Environmental Protection Division from restricting agricultural burning on a tract, lot, or parcel of land over five acres. The burning must abide by the requirements in federal law and

is limited to vegetative material.

<b>Authored By:</b>	Rep. Tom McCall (33rd)	<b>Committee</b>	02-22-2018 Do Pass by Committee
<b>House</b>	Natural Resources & Environment	<b>Action:</b>	Substitute
<b>Committee:</b>			

## Small Business Development Committee

### HB 951 Education; establish Center for Rural Prosperity and Innovation; provisions

**Bill Summary:** House Bill 951 incorporates recommendations from the Georgia House Rural Development Council pertaining to the Center for Rural Prosperity and Innovation.

The bill creates the Center for Rural Prosperity and Innovation (CRPI) to be located within a college of the University System of Georgia which awards Bachelor of Science degrees in rural community development. The director of the CRPI shall be appointed by the president of the college in which it is physically located with majority approval by the Georgia Rural Development Council (RDC).

The CRPI shall assume the business and responsibilities of the Centers of Innovation Agribusiness administered by the Department of Economic Development.

The CRPI shall include the RDC, which will offer guidance to the CRPI. The RDC shall be composed of 12 members. Six members shall be appointed by the governor, three by the Speaker of the House, and three by the President of the Senate. The RDC shall study the conditions, needs, issues, and problems affecting rural economic development and shall examine related policy areas as it deems necessary. The RDC shall meet at least once per quarter and at a different location within the state.

The CRPI shall provide a central information and research hub for rural leadership training and best practices. The CRPI may establish satellite offices as necessary to accomplish its mission. The CRPI shall annually prepare and submit to the standing committees on agriculture and economic development by the House of Representatives and the Senate a 10-year strategic plan that outlines the use of the CRPI's resources for the upcoming fiscal year. The committees may approve the plan and submit recommendations to the Senate and House Appropriations committees for their consideration in developing the budget.

The bill also allows a deputy commissioner for rural Georgia to be designated by the Board of Economic Development within the Department of Economic Development. The bill also repeals the Georgia Rural Development Council in O.C.G.A. 50-8-150.

<b>Authored By:</b>	Rep. Jason Shaw (176th)	<b>Committee</b>	02-22-2018 Do Pass by Committee
<b>House</b>	Small Business Development	<b>Action:</b>	Substitute
<b>Committee:</b>			

## Transportation Committee

### HB 930 Georgia Regional Transportation Authority; creation of certain community improvement districts; provisions

**Bill Summary:** House bill 930 creates the Atlanta-region Transit Link "ATL" Authority. This authority would assume the role of the Georgia Regional Transportation Authority (GRTA) and would serve as the transit planning organization for the thirteen-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 would oversee all transit planning, funding, and operations within the region.

<b>Authored By:</b>	Rep. Kevin Tanner (9th)	<b>Committee</b>	02-22-2018 Do Pass by Committee
<b>House</b>	Transportation	<b>Action:</b>	Substitute
<b>Committee:</b>			

**HR 444 Willie Thomas Murray Memorial Bridge; Lincoln County; dedicate**

Bill Summary: The House Substitute to HR 444 is the annual road facility dedication bill and it includes the following House Resolutions.

HR 444 dedicates the bridge over New Ford Creek on Highway 79 in Lincoln County as the Willie Thomas Murray Memorial Bridge;

House Resolution 872, Rep. Penny Houston

HR 872 dedicates the bridge on Nashville Tifton Highway/State Route 125 between the Virgil T. Barber Bridge and the City of Nashville in Berrien County as the Lieutenant Hugh L. Moore Memorial Bridge;

House Resolution 900, Rep. Beth Beskin

HR 900 dedicates the portion of State Route 9 between Peachtree Battle Avenue and the Amtrak Peachtree Station in Fulton County as the J. Harold Shepherd Parkway;

House Resolution 1038, Rep. Terry England

HR 1038 dedicates the bridge on State Route 11 at the Barrow/Walton County line as the Horace L. Dunahoo Memorial Bridge;

House Resolution 1101, Rep. Todd Jones

HR 1101 dedicates the portion of State Route 20 from Haw Creek Parkway/Nuckolls Road to Samples Road in Forsyth County as the Sergeant David P. Land Memorial Highway;

House Resolution 1106, Rep. Gerald Greene

HR 1106 dedicates U.S. Highway 27 through Stewart, Randolph, Clay, and Early counties as the Purple Heart Highway;and

House Resolution 1199, Rep. Clay Cox

HR 1199 dedicates the interchange at Interstate 85 and Indian Trail Road in Gwinnett County as the Jesse C. Long Interchange.

**Authored By:** Rep. Tom McCall (33rd)

**House Committee:** Transportation

**Committee Action:**

02-22-2018 Do Pass by Committee Substitute

**HR 1225 Congress; pass the Building Rail Access for Customers and the Economy (BRACE) Act; urge**

Bill Summary: HR 1225 urges Congress to pass the Building Rail Access for Customers and the Economy (BRACE) Act. The BRACE Act is a bill which would make permanent a tax credit for rail improvement and enhancements.

**Authored By:** Rep. Brian Prince (127th)

**House Committee:** Transportation

**Committee Action:**

02-22-2018 Do Pass

**Ways & Means Committee****HB 81 Income tax; certain health care facilities to receive tax refund setoffs for collection of medical debts; allow**

Bill Summary: House Bill 81 amends Article 7 of Chapter 7 of Title 48, relating to setoff debt collection, by allowing hospital authorities to collect on debts owed by the use of an income tax refund setoff collection. The hospital authorities must submit claims to and work through the Department of Community Health to collect debt through an income tax refund setoff. No claims may exceed the amount owed by the debtor under the hospital authority's applicable financial assistance policy.

**Authored By:** Rep. Tom McCall (33rd)  
**House Committee:** Ways & Means

**Committee Action:** 02-22-2018 Do Pass by Committee Substitute

**HB 373 Ad valorem tax; property; change certain requirements for proof of bona fide conservation use**

Bill Summary: House Bill 373 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 nonprofit 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.

**Authored By:** Rep. David Knight (130th)  
**House Committee:** Ways & Means

**Committee Action:** 02-22-2018 Do Pass by Committee Substitute

**HB 696 Sales and use tax; certain computer equipment sold or leased to certain entities for use in high-technology data centers; create exemption**

Bill Summary: House Bill 696 amends O.C.G.A. 48-8-3, relating to exemptions from state sales and use tax, by adding an exemption for the sale or lease of computer equipment or high-technology data center equipment to be incorporated or used in high-technology data centers. 'High-technology data center' is defined as a facility, campus of facilities, or array of interconnected facilities in the state that powers, cools, secures, and connects its own computer equipment or the computer equipment of customers of the data center owner.

In order to receive the exemption, the high-technology data center must plan to spend \$250 million over ten years and post a valid bond of \$20 million with the commissioner. The bond shall be forfeited in full and paid into the general fund if the high-technology data center does not meet the \$250 million minimum investment threshold over ten years, files for bankruptcy, or receives an abatement of property tax by a county or municipality on tangible personal property exempted from sales tax. High-technology data centers utilizing the exemption must submit an annual report to the commissioner of the Department of Revenue including the number of jobs and total payroll resulting from construction, maintenance, and operation in and on its facility during the prior year. This exemption expires June 30, 2028.

**Authored By:** Rep. Trey Kelley (16th)  
**House Committee:** Ways & Means

**Committee Action:** 02-22-2018 Do Pass by Committee Substitute

**HB 811 Revenue, Department of; authorized to share tax information that assists in the identification of noncompliant taxpayers; provide**

Bill Summary: House Bill 811 amends O.C.G.A. 48-2-15, to allow confidential taxpayer information to be shared with data service contractors to assist the department in the identification of taxpayers who are noncompliant with the Georgia income tax. No contract shall exceed a period of three years, and all services performed must be per North American Industry Classification System as designated by the commissioner. Compensation for such contractors may be based on attributable collections and all billings, assessments, and audits must be made by the department. Contractors assisting the department may not store, retain, or disseminate taxpayer information or

utilize taxpayer information in any manner not specifically authorized by the department.

**Authored By:** Rep. Jay Powell (171st)  
**House Committee:** Ways & Means

**Committee Action:** 02-22-2018 Do Pass by Committee Substitute

### **HB 820 Revenue and taxation; procedure for counties following a rejection of a tax digest; establish**

**Bill Summary:** House Bill 820 amends Article 2 of Chapter 5 of Title 48, relating to property tax exemptions and deferral, by adding a new section which allows a homestead exemption from the ad valorem taxes for municipal and independent school system in an amount equal to the amount by which the current year assessed value exceeds the adjusted base year value of the homestead.

The adjusted base year value is defined as either the lowest base year value or, if available, the previous base year value adjusted annually by the lesser of three percent or the inflation rate plus any change in value. Lowest base year value for exemptions first granted in the 2019 tax year is defined as the lowest among the 2016, 2017, and 2018 valuations multiplied by 1.0423, which is the inflation rate for December 2015 through December 2017.

The homestead exemption is available to residents of municipal corporations that are located in more than one county, that levy a sales tax for the purposes of a metropolitan area system of public transportation, and has within its boundaries an independent school system.

**Authored By:** Rep. Beth Beskin (54th)  
**House Committee:** Ways & Means

**Committee Action:** 02-22-2018 Do Pass by Committee Substitute

### **HB 877 Revenue and taxation; tax rate on modified risk tobacco products; lessen**

**Bill Summary:** House Bill 877 amends O.C.G.A. 48-11-2, relating to the excise tax rate on tobacco products, by adding a reduction of the excise tax on cigarettes for modified risk tobacco products of 50 percent as determined by the secretary of the United States Department of Health and Human Services.

The bill also provides a reduction of 25 percent for tobacco products that the secretary determines do not meet the requirements for a 50 percent reduction because scientific evidence is not available and, using the best available scientific methods, cannot be made available without conducting long-term epidemiological studies and the scientific evidence that is available demonstrates that a measurable and substantial reduction in morbidity or mortality among individual tobacco users is reasonably likely in subsequent studies.

**Authored By:** Rep. Chad Nimmer (178th)  
**House Committee:** Ways & Means

**Committee Action:** 02-22-2018 Do Pass

### **HB 888 Ad valorem tax; certain reporting requirements; change**

**Bill Summary:** House Bill 888 amends O.C.G.A. 48-5-48.1, relating to the tangible personal property inventory exemption, and O.C.G.A. 48-5-48.2, relating to the level one and level two freeport exemptions, by stating that the applications for the freeport exemptions must provide a summary, set by the department, of the inventory of goods in process, the inventory of finished goods, and the stock located in a fulfillment center. The bill also provides a time limit of 180 days from receipt of the application for a county board of tax assessors to deny an application and states that clerical errors alone shall not be construed as a failure to properly file the application. If the county board fails to issue a letter of denial within 180 days, the application is to be deemed accepted. The bill further allows the freeport exemption for products that are combined during the course of manufacturing and the assembly of parts into completed engines.

**Authored By:** Rep. David Knight (130th)  
**House Committee:** Ways & Means

**Committee Action:** 02-22-2018 Do Pass by Committee Substitute

**HB 944 Revenue and taxation; levy of joint county and municipal sales and use tax by consolidated governments; change certain provisions**

Bill Summary: House Bill 944 amends O.C.G.A 48-8-96, relating to levy of the joint county and municipal sales and use tax by consolidated governments, by allowing for annual increase of up to two percent in the assessed value of a homestead property in a consolidated government with two other local option sales taxes.

**Authored By:** Rep. Allen Peake (141st)  
**House Committee:** Ways & Means

**Committee Action:** 02-22-2018 Do Pass

**HR 1089 United States Congress; pass the federal Marketplace Fairness Act; urge**

Bill Summary: House Resolution 1089 urges the United States Congress to pass the federal "Marketplace Fairness Act" in support of equity and sales tax fairness.

**Authored By:** Rep. Jay Powell (171st)  
**House Committee:** Ways & Means

**Committee Action:** 02-22-2018 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 visit [www.house.ga.gov](http://www.house.ga.gov) and click on [Meetings Calendar](#).*

### Friday, February 23, 2018

8:00 AM	<a href="#">JUVENILE JUSTICE</a>	506 CLOB
8:00 AM	<a href="#">INSURANCE</a>	606 CLOB
8:00 AM	<a href="#">GAME, FISH AND PARKS</a>	403 CAP
9:00 AM	<a href="#">RULES</a>	341 CAP
10:00 AM	<a href="#">FLOOR SESSION (LD 26)</a>	House Chamber
1:00 PM	<a href="#">Setzler Subcommittee of Judiciary (Non-Civil)</a>	132 CAP
1:30 PM	<a href="#">Ways &amp; Means Subcommittee on Public Finance and Policy</a>	406 CLOB
2:00 PM	<a href="#">WAYS &amp; MEANS</a>	406 CLOB