



Georgia

HOUSE OF REPRESENTATIVES

Monday
March 19,
2018

DAILY REPORT

36th
Legislative
Day

House Budget & Research Office
(404) 656-5050

House Media Services
(404) 656-0309

- The House will reconvene for its 37th Legislative Day on Wednesday, March 21 at 10:00 a.m.
- Nine bills / resolutions are expected to be debated on the floor.
- The next Rules Committee meeting has not been set.

Today on the Floor

Rules Calendar

HR 944 People's Republic of China; organ harvesting; express concern

Bill Summary: HR 944 urges the People's Republic of China to end the practice of forced harvesting of organs from prisoners, especially from Falun Gong and other prisoners of conscience.

Authored By: Rep. Dewayne Hill (3rd)
House Committee: Interstate Cooperation
Floor Vote: Yeas: 156 Nays: 0
Floor Action: Adopted (Resolution)

Rule Applied: Modified-Structured
Committee Action: 03-07-2018 Do Pass
Amendments:

HR 1137 United State Congress; President of the United States; support members of the armed forces and repair mental and physical health; urge

Bill Summary: This resolution urges the President and the United States Congress to provide assistance to service personnel of the armed forces for repairing and supporting their mental and physical health needs prior to discharge through legislative and other provisions.

Authored By: Rep. John Deffenbaugh (1st)
House Committee: Special Rules
Floor Vote: Yeas: 164 Nays: 0
Floor Action: Adopted (Resolution)

Rule Applied: Modified-Open
Committee Action: 03-13-2018 Do Pass
Amendments:

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

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

Authored By: Rep. Sharon Cooper (43rd)
House Committee: Health & Human Services
Floor Vote: Yeas: 170 Nays: 0
Floor Action: Adopted (Resolution)

Rule Applied: Modified-Open
Committee Action: 03-08-2018 Do Pass
Amendments:

HR 1414 House Study Committee on School Security; create

Bill Summary: This resolution creates a committee to study what is needed to provide more security for schools to help curb incidents of violence and to facilitate life-saving responses. The committee is composed of nine members of the House of Representatives.

Authored By:	Rep. Rick Jasperse (11th)	Rule Applied:	Modified-Open
House Committee:	Special Rules	Committee Action:	03-13-2018 Do Pass
Floor Vote:	Yeas: 169 Nays: 0	Amendments:	
Floor Action:	Adopted (Resolution)		

HR 1469 Government of Israel; maintain Consulate General in Atlanta, Georgia; urge

Bill Summary: This resolution urges the government of Israel to maintain its Consulate General in Atlanta, Georgia.

Authored By:	Rep. Micah Gravelly (67th)	Rule Applied:	Modified-Open
House Committee:	Special Rules	Committee Action:	03-15-2018 Do Pass
Floor Vote:	Yeas: 173 Nays: 0	Amendments:	
Floor Action:	Adopted (Resolution)		

HR 1470 President of the United States; relocate United States Embassy to Israel's capital of Jerusalem; urge

Bill Summary: This resolution recognizes Jerusalem as the capitol of Israel and urges the President of the United States to relocate the United States Embassy to Israel's capitol.

Authored By:	Rep. Micah Gravelly (67th)	Rule Applied:	Modified-Open
House Committee:	Special Rules	Committee Action:	03-15-2018 Do Pass
Floor Vote:	Yeas: 117 Nays: 43	Amendments:	
Floor Action:	Adopted (Resolution)		

HR 1471 House Study Committee on the Revitalization of the Atlanta State Farmers Market; create

Bill Summary: HR 1471 creates the House Study Committee on the Revitalization of the Atlanta State Farmers Market. The committee will investigate the decline in patrons of the market and possible solutions to attract farmers, business owners, and consumers. The nine-member committee is composed of five members of the House of Representatives and four members from the private sector or members of the House of Representatives; all members are appointed by the speaker of the House. The committee is authorized to meet for five days and stands abolished on December 1, 2018.

Authored By:	Rep. Valencia Stovall (74th)	Rule Applied:	Modified-Open
House Committee:	Agriculture & Consumer Affairs	Committee Action:	03-14-2018 Do Pass
Floor Vote:	Yeas: 164 Nays: 4	Amendments:	
Floor Action:	Adopted (Resolution)		

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

Bill Summary: This bill creates new Code sections to extend a fiduciary's powers to include the management of digital assets in which an individual has a right or interest, such as e-mail accounts, cryptocurrency, and other online records. The bill applies the new Code sections to: fiduciaries acting under a will or power of attorney; trustees; personal representatives; and conservators. The bill exempts digital assets of employers used by employees.

A user may use an "online tool", defined as an electronic service, which is provided by a "custodian", a person who receives, transmits, or maintains electronic communications of another person. The bill directs the custodian on disclosure or non-disclosure to a third party of the user's digital assets and electronic communications. If the online tool allows modification of a direction at all times, a direction from the online tool will override a direction in a will, trust, power of attorney, or other

record. If the user does not use the online tool or if the custodian does not provide an online tool, the user may allow or prohibit disclosure via a will, trust, power of attorney, or other record. If the user has not provided any direction, the custodian's terms of service will control disclosure or non-disclosure. A user's direction in an online tool, will, or other written instrument overrides a contrary provision in a custodian's terms of service that does not require the user to act affirmatively and distinctly from the user's assent to such terms.

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

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

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

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

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

Authored By: Sen. John Kennedy (18th)
House Committee: Judiciary
Floor Vote: Yeas: 162 Nays: 2

Rule Applied: Modified-Structured
Committee Action: 03-06-2018 Do Pass
Amendments:

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

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

Authored By: Sen. John Albers (56th)

Rule Applied: Structured

House Committee:	Ways & Means	Committee Action:	03-08-2018 Do Pass by Committee Substitute
Floor Vote:	Yeas: 139 Nays: 36	Amendments:	

SB 331 Georgia Lottery for Education Act; winner of lottery prize to remain anonymous under certain conditions; allow

Bill Summary: SB 331 requires the Georgia Lottery Corporation to keep all information regarding the winner of awards of \$250,000 or greater confidential upon written request of the prize winner.

Authored By:	Sen. Steve Henson (41st)	Rule Applied:	Modified-Structured
House Committee:	Higher Education	Committee Action:	03-07-2018 Do Pass by Committee Substitute
Floor Vote:	Yeas: 173 Nays: 1	Amendments:	

SB 336 Georgia Bureau of Investigation; general provisions; subpoena issued for production of electronic communication; not provide notice to the subscriber

Bill Summary: SB 336 prohibits the provider of electronic communication services from notifying a subscriber that the provider has been issued a subpoena concerning the subscriber's usage of the electronic communication service regarding minors. In addition, SB 336 allows for certain state agencies that, as a condition of employment, require fingerprint criminal background checks to opt-in to a program where the Federal Bureau of Investigation retains the fingerprints for the duration of the individual's employment. Violations of law in other states can be transmitted to the Georgia Bureau of Investigation and then to the applicable state agency. Moreover, the bill provides that the individual's fingerprints be purged from the database within 10 days when that person is no longer employed by the state agency.

Authored By:	Sen. Renee Unterman (45th)	Rule Applied:	Modified-Structured
House Committee:	Judiciary Non-Civil	Committee Action:	03-12-2018 Do Pass by Committee Substitute
Floor Vote:	Yeas: 113 Nays: 59	Amendments:	

SB 370 Medical Assistance; commissioner of human services waives the first \$25,000 of any estate; provide

Bill Summary: This bill requires, no later than July 1, 2018, the Department of Community Health shall submit a state plan amendment to waive the first \$25,000 value of any estate to the United States Department of Health and Human Services Centers for Medicare and Medicaid Services. In the event that such amendment to the state plan is not approved, this change shall stand repealed in its entirety.

Authored By:	Sen. John Wilkinson (50th)	Rule Applied:	Modified-Open
House Committee:	Health & Human Services	Committee Action:	03-12-2018 Do Pass
Floor Vote:	Yeas: 166 Nays: 0	Amendments:	

SB 377 State Workforce Development Board; transfer to Technical College System of Georgia; duties and obligations; revise

Bill Summary: Senate Bill 377 transfers the State Workforce Development Board from the Department of Economic Development to the Technical College System of Georgia.

Authored By:	Sen. Brian Strickland (17th)	Rule Applied:	Modified-Open
House Committee:	Industry and Labor	Committee Action:	03-07-2018 Do Pass
Floor Vote:	Yeas: 164 Nays: 1	Amendments:	

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

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

Authored By:	Sen. Renee Unterman (45th)	Rule Applied:	Modified-Open
House Committee:	Human Relations & Aging	Committee Action:	03-08-2018 Do Pass
Floor Vote:	Yeas: 160 Nays: 1	Amendments:	

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

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

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

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

Authored By:	Sen. John Wilkinson (50th)	Rule Applied:	Structured
House Committee:	Ways & Means	Committee Action:	03-08-2018 Do Pass by Committee Substitute
Floor Vote:	Yeas: 172 Nays: 0	Amendments:	

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

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

Authored By:	Sen. P. K. Martin (9th)	Rule Applied:	Modified-Open
House Committee:	Economic Development & Tourism	Committee Action:	03-06-2018 Do Pass
Floor Vote:	Yeas: 167 Nays: 1	Amendments:	
Floor Action:	Adopted (Resolution)		

Postponed Until Next Legislative Day

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) **Rule Applied:** Modified-Open

HR 1107 Economic Development, Department of; construct the emerging commercial space industry in Georgia; urge

Bill Summary: HR 1107 urges the Department of Economic Development's Center for Aerospace Innovations and its Aerospace, Defense and Advance Manufacturing (ADAM) team to work with the Department of Transportation and other relevant state agencies to strategically construct, enhance, focus, and recruit with intent to encourage the emerging commercial space industry to grow in Georgia.

Authored By: Rep. Jason Spencer (180th) **Rule Applied:** Modified-Open

SB 342 Licensing of Motor Vehicles; owner with valid license plate without the required revalidation decal to retain custody of vehicle under certain conditions; permit

Bill Summary: Senate Bill 342 allows the owner or operator of a vehicle which has a valid license plate without the required revalidation decal to retain custody of the vehicle if they are cited for an expired tag. If the driver shows proof to the court that their registration was in fact up to date, the citation will be dismissed.

Authored By: Sen. Marty Harbin (16th) **Rule Applied:** Modified-Open

SB 353 Boilers and Pressure Vessels; violations concerning the regulation; civil enforcement and penalty authority in the Safety Fire Commissioner; establish

Bill Summary: Senate Bill 353 establishes civil enforcement and penalty authority in the Safety Fire Commissioner for violations concerning the regulation of boilers and pressure vessels. The maximum penalty is \$5,000.

Authored By: Sen. Lee Anderson (24th) **Rule Applied:** Modified-Open

SB 355 Nuclear Generating Plant; recovery of the costs of financing the construction; provisions; change

Bill Summary: This bill amends O.C.G.A. 46-2-25 so that a utility shall recover the financing costs associated with constructing a nuclear power plant from its customers if the plant has been certified by the Public Service Commission prior to January 1, 2018.

Authored By: Sen. Chuck Hufstetler (52nd) **Rule Applied:** Modified-Structured

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 37th Legislative Day, Wednesday, March 21, and bills may be called at the pleasure of the Speaker.

SB 8 "Surprise Billing and Consumer Protection Act"; health insurance; provide consumer protections; definitions

Bill Summary: Senate Bill 8 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: Sen. Renee Unterman (45th)
House Committee: Insurance

Rule Applied: Modified-Structured
Committee Action: 03-12-2018 Do Pass by Committee Substitute

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

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

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

Authored By: Sen. Hunter Hill (6th)
House Committee: Education

Rule Applied: Modified-Open
Committee Action: 03-08-2018 Do Pass by Committee Substitute

SB 202 Medical Assistance; increase in the personal needs allowance to be deducted from a nursing home resident's income; provide

Bill Summary: This bill relates to the 'Disabled Adults and Elder Persons Protection Act'. There will be established Adult Abuse, Neglect and Exploitation Multidisciplinary Teams to coordinate the investigation of and responses to suspected instances of abuse of disabled adults or elder persons. HB 635 allows the district attorney in each judicial circuit to establish the Adult Abuse, Neglect, and Exploitation Multidisciplinary Team and outlines the persons or agencies who shall have reasonable access to records concerning reports of elder, disabled adult, or resident abuse.

Authored By: Sen. Michael Rhett (33rd)
House Committee: Health & Human Services

Rule Applied: Modified-Structured
Committee Action: 03-14-2018 Do Pass by Committee Substitute

SB 350 Notice of Information Practices By Institution or Agent; policy renewal to comport with federal law; update notice practices requirements

Bill Summary: Senate Bill 350 updates Georgia law in regards to the notice requirements for an insurance company or agent to their policyholders in the case of policy renewal to comport with federal

law.

Authored By: Sen. Larry Walker III (20th)
House Committee: Insurance

Rule Applied: Modified-Open
Committee Action: 03-09-2018 Do Pass

Committee Actions

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

Intragovernmental Coordination - Local Committee

HB 1041 McDonough, City of; revise corporate boundaries

Bill Summary: This bill revises the corporate boundaries of the City of McDonough.

Authored By: Rep. Dale Rutledge (109th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass by Committee Substitute

HB 1043 Jesup, City of; staggered terms for board of commissioners; provide

Bill Summary: This bill provides staggered terms for the City of Jesup Board of Commissioners.

Authored By: Rep. William Werkheiser (157th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass

HB 1045 Putnam County; Redevelopment Powers Law; provide for referendum

Bill Summary: This bill authorizes Putnam County 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. Ricky Williams (145th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass

HB 1046 Fitzgerald, City of; levy an excise tax

Bill Summary: This bill authorizes the governing authority of the City of Fitzgerald to levy an excise tax.

Authored By: Rep. Clay Pirkle (155th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass

HB 1052 Whitfield County; board of commissioners; provide for election by district

Bill Summary: This bill provides for the election of certain members of the Whitfield County Board of Commissioners by district.

Authored By: Rep. Steve Tarvin (2nd)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass

HB 1054 Acworth, City of; adopt by reference a certain map

Bill Summary: This bill adopts by reference a certain map for the City of Acworth.

Authored By: Rep. Ed Setzler (35th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass

HB 1056 South Fulton, City of; ad valorem tax; provide new homestead exemption

Bill Summary: This bill provides a homestead exemption, which has the effect of a valuation freeze, from City of South Fulton ad valorem taxes for municipal purposes.

Authored By: Rep. Debra Bazemore (63rd)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass

HB 1057 Pelham, City of; levy an excise tax

Bill Summary: This bill authorizes the governing authority of the City of Pelham to levy an excise tax.

Authored By: Rep. Jay Powell (171st)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass

HB 1058 Miller County; Board of Education; revise districts for election of members

Bill Summary: This bill revises the districts for the election of members of the Miller County Board of Education.

Authored By: Rep. Winfred Dukes (154th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass

HB 1059 Murray County; office of elected county surveyor; abolish

Bill Summary: This bill abolishes the office of elected county surveyor of Murray County.

Authored By: Rep. Rick Jasperse (11th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass

HB 1060 Stonecrest, City of; provide new charter

Bill Summary: This bill provides a new charter for the City of Stonecrest.

Authored By: Rep. Vernon Jones (91st)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass

HB 1062 Douglas, City of; governing authority; stagger terms of members

Bill Summary: This bill staggers the terms of the members of the governing authority of the City of Douglas.

Authored By: Rep. Dominic LaRiccia (169th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 03-19-2018 Do Pass

SB 481 Board of Education of Putman County; members; compensation; reimbursement of expenses; provide

Bill Summary: This bill provides for the compensation for the Putnam County Board of Education members.

Authored By: Sen. Burt Jones (25th)

House Committee: Intragovernmental Coordination - Local **Committee Action:** 03-19-2018 Do Pass

Ways & Means Committee**SB 402 "Achieving Connectivity Everywhere (ACE) Act"**

Bill Summary: Senate Bill 402, the 'Achieving Connectivity Everywhere (ACE) Act,' amends Titles 32, 34, 36, 44, 46, and 50 of the O.C.G.A.

Part Two states the Georgia Department of Transportation (GDOT) has the authority to plan for, establish, and implement a long-term policy for the use of rights-of-way on interstate highways and state-owned roads for the development of broadband services. All net revenues from the use, lease, or other activities in such rights-of-way in excess of any project costs, which are not subject to the jurisdiction of the Federal Highway Administration, shall be paid into the state general fund.

Part Three states that any county or municipal governing bodies shall provide for the promotion of the deployment of broadband services by providers in any of their comprehensive plans. Part Three-A allows an electric membership corporation (EMC) that obtains a certificate of authority from the Public Service Commission (PSC) pursuant to O.C.G.A. 46-5-163 to provide and operate emerging communications technologies within the EMC's assigned area and within a five-mile radius thereof. No cross-subsidization shall be permitted between an EMC's natural gas activities, electricity service, or emerging communications technologies operation. Part Three-B permits telephone cooperatives to furnish emerging communications technologies in addition to furnishing telephone service.

Part Four authorizes the Department of Economic Development to promote the deployment of broadband services throughout the state, including the deployment of broadband services in any facilities and developments designated as a Georgia Broadband Ready Community Site. The Department of Community Affairs (DCA) and the Georgia Technology Authority (GTA) are provided additional authorization and responsibilities.

Part Five adds the speaker of the House as a co-vice chair on the OneGeorgia Authority Board of Directors.

Part Six, Article One defines "broadband services" as a wired or wireless terrestrial service that can transmit at speeds of 25 megabits per second (Mbps) in the downstream direction and 3 Mbps in the upstream direction. An "unserved area" is also defined as a census tract, a group of census tracts, or a combination of census tracts, as determined by DCA, in which broadband services are not available to 20 percent or more of locations as determined by DCA.

Article One also states GTA is authorized and directed to establish and implement such programs and policies as necessary to coordinate state-wide efforts to promote and facilitate deployment of broadband services. GTA shall submit copies of an annual report to the lieutenant governor, the speaker, and the governor regarding the policies and programs established by the authority. All state agencies shall cooperate with GTA by providing requested information.

Article Two states DCA shall determine the areas of the state that are unserved areas and publish such findings. On or before January 1, 2019, DCA shall publish on its website a map showing the unserved areas of the state. DCA shall consult with the Federal Communications Commission (FCC) to determine if a map exists that shows the unserved areas of the state, as determined by DCA. If on or before July 1, 2018, DCA determines that a map does not exist, then a map shall be created by DCA or an agent designated by DCA. All local governments shall cooperate with DCA

by providing requested information. A provider or political subdivision may file a petition with DCA alleging that an area should be designated as a served or unserved area.

Article Three states a political subdivision that has a comprehensive plan that includes the promotion of the deployment of broadband services may apply to DCA for certification as a broadband ready community. DCA shall approve an application if the department determines the political subdivision has enacted a model broadband ordinance as created by the department, or something similar to said ordinance.

Article Four states DCA shall, with the assistance of the Department of Economic Development, create and administer the "Georgia Broadband Ready Community Site Designation Program." The program will designate facilities and developments that offer broadband services at rates of at least one gigabit per second. The Department of Economic Development shall promote the program.

Article Five enables DCA to develop the "Georgia Broadband Deployment Initiative" on or before July 1, 2019. The initiative shall provide funding to qualified broadband providers that request the least amount of money to offer broadband services in the state. DCA may also use a request-for-proposal process in soliciting proposals from qualified broadband providers and may also accept proposals from qualified broadband providers through an ongoing open proposal process. Providers shall submit solicited or unsolicited proposals for unserved areas in which they are seeking to deploy broadband services, provided that DCA seeks competing proposal for any unsolicited proposals.

The program will consist of a minimum of five rounds of grants, with DCA having the ability to extend the program if unserved areas still exist. Additionally, Article Five states that DCA shall submit a report on June 30, 2019, and each year thereafter, to the lieutenant governor, the speaker, and governor on the program's progress. Additionally, the state auditor shall conduct a performance audit of the grant program at least once every three years and provide the report to the lieutenant governor, speaker, and governor.

Article Six defines an "authority" as any: local authority, local governing authority, political subdivision providing retail electric service, EMC, and cooperative. The article details the rates and fees charged by an authority for attachments to the authority's utility poles and wireless support structures. These rates have stipulations, which include the year and broadband speeds.

Authored By: Sen. Steve Gooch (51st)
House Committee: Ways & Means

Committee Action: 03-19-2018 Do Pass by Committee Substitute

Committee Meeting Schedule

*This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change.
To keep up with the latest schedule, please visit www.house.ga.gov and click on [Meetings Calendar](#).*

Tuesday, March 20, 2018

8:00 AM	AGRICULTURE AND CONSUMER AFFAIRS	403 CAP
9:00 AM	SPECIAL RULES	415 CLOB
9:30 AM	Property & Casualty Subcommittee of Insurance	406 CLOB
10:00 AM	JUDICIARY (NON-CIVIL)	406 CLOB
10:00 AM	PUBLIC SAFETY & HOMELAND SECURITY	606 CLOB
10:00 AM	APPROPRIATIONS HEALTH	341 CAP
11:00 AM	MILITARY AFFAIRS WORKING GROUP	415 CLOB
11:00 AM	NATURAL RESOURCES AND ENVIRONMENT	506 CLOB
11:30 AM	Economic Development and Tourism Subcommittee: Film & Entertainment	341 CAP
1:00 PM	JUDICIARY (NON-CIVIL)	406 CLOB
2:00 PM	JUDICIARY (CIVIL)	132 CAP
2:00 PM	REGULATED INDUSTRIES	506 CLOB
3:00 PM	APPROPRIATIONS PUBLIC SAFETY	406 CLOB
3:00 PM	HIGHER EDUCATION	506 CLOB