



# Georgia

## HOUSE OF REPRESENTATIVES

Friday  
March 23,  
2018

# DAILY REPORT

38th  
Legislative  
Day

House Budget & Research Office  
(404) 656-5050

House Media Services  
(404) 656-0309

- The House will reconvene for its 39th Legislative Day on Tuesday, March 27 at 10:00 a.m.
- 15 bills / resolutions are expected to be debated on the floor.

## Today on the Floor

### Motions to Insist

#### **HB 684 General appropriations; State Fiscal Year July 1, 2018 - June 30, 2019**

**Bill Summary:** House Bill 684, the Fiscal Year 2019 budget, is set by a revenue estimate of \$26 billion, an increase of \$1.03 billion, or 4.1 percent, over the FY 2018 original budget. Nearly 90 percent of the new revenue is consumed by non-discretionary education, health and human services expenses. Specifically, \$582.5 million (56.3 percent) is budgeted for education; \$347.7 million (33.6 percent) is budgeted for health and human services; and \$104.7 million (10.1 percent) in remaining new funds is appropriated to public safety, economic development and general government agencies as well as debt service.

The bill, tracking sheet and highlights may be found on the House Budget and Research Office website: <http://www.house.ga.gov/budget>

**Authored By:** Rep. David Ralston (7th)      **Rule Applied:** Modified-Open  
**Motions to Insist:** *(This motion to insist sends the bill back to the Senate for consideration.)*

#### **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 assumes the roles of the Georgia Regional Transportation Authority (GRTA) and the transit planning organization for the 13-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 oversees all transit planning, funding, and operations within the region.

**Authored By:** Rep. Kevin Tanner (9th)      **Rule Applied:** Modified-Structured  
**Motions to Insist:** *(This motion to insist created a Conference Committee to negotiate a final version of the bill)*

#### **SB 402 "Achieving Connectivity Everywhere (ACE) Act"**

**Bill Summary:** Senate Bill 402 is the 'Achieving Connectivity Everywhere (ACE) Act'.

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)      **Rule Applied:** Modified-Structured  
**Motions to Insist:** *(This motion to insist created a Conference Committee to negotiate a final version of the bill)*

## Motions to Disagree

**HB 906 Public records; public disclosure of personal information of certain foster parents; exclude**  
**Bill Summary:** HB 906 excludes personal information of foster and former foster parents from being disclosed to the public.

**Authored By:** Rep. Katie Dempsey (13th)      **Rule Applied:** Modified-Structured  
**Motions to Disagree:** *(A motion to disagree sends the bill back to the Senate for consideration.)*

## Rules Calendar

**HR 913 House Study Committee on Incorporating Law Enforcement in the Pathway to Treatment and Social Services for Persons Having Challenges with Drug Use and Mental Health; create**

**Bill Summary:** House Resolution 913 creates the House Study Committee on Incorporating Law Enforcement in the Pathway to Treatment and Social Services for Persons Having Challenges with Drug Use and Mental Health. The committee will study ways to strategically widen community behavioral health and social service as a sizeable pathway to treatment and social services in behavioral health interventions. The committee stands abolished on December 31, 2018.

**Authored By:** Rep. Paulette Rakestraw (19th)      **Rule Applied:** Modified-Open  
**House Committee:** Public Safety & Homeland Security      **Committee Action:** 02-14-2018 Do Pass by Committee Substitute  
**Floor Vote:** Yeas: 158 Nays: 2      **Amendments:**  
**Floor Action:** Adopted (Resolution)

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

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

**Authored By:** Rep. Matt Dollar (45th)      **Rule Applied:** Modified-Open  
**House Committee:** Regulated Industries      **Committee Action:** 03-20-2018 Do Pass  
**Floor Vote:** Yeas: 142 Nays: 16      **Amendments:**  
**Floor Action:** Adopted (Resolution)

**HR 1473 House Study Committee on Industrial Hemp Production; create**

**Bill Summary:** HR 1473 creates the House Study Committee on Industrial Hemp Production. The committee shall investigate the feasibility of developing industrial hemp in Georgia and determining the potential economic benefits that industrial hemp production may have for rural areas of the state. The committee shall be comprised of five members of the House of Representatives as appointed by the speaker of the House. The committee is authorized to meet for up to five days and shall stand

abolished on December 1, 2018.

<b>Authored By:</b>	Rep. Tom McCall (33rd)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Agriculture & Consumer Affairs	<b>Committee Action:</b>	03-14-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 152 Nays: 1	<b>Amendments:</b>	
<b>Floor Action:</b>	Adopted (Resolution)		

**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.

<b>Authored By:</b>	Sen. Renee Unterman (45th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Insurance	<b>Committee Action:</b>	03-12-2018 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 92 Nays: 63	<b>Amendments:</b>	

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

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

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

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

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

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

<b>Authored By:</b>	Sen. Jesse Stone (23rd)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Judiciary	<b>Committee Action:</b>	03-08-2018 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 154 Nays: 2	<b>Amendments:</b>	

**SB 365 Code Revision Commission; statutory portion of said Code; revise, modernize, correct errors or omissions in and reenact**

Bill Summary: This bill is the annual Code Revision clean-up bill. It amends the Official Code of Georgia Annotated to revise, modernize, and correct errors or omissions. The bill reflects the work of the Code Revision Commission to repeal portions of the Code which have become obsolete, unconstitutional, or preempted or superseded by subsequent laws. Lastly, the bill provides for other matters relating to revision, reenactment, and publication of the Code.

<b>Authored By:</b>	Sen. William Ligon, Jr. (3rd)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Code Revision	<b>Committee Action:</b>	03-12-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 154 Nays: 1	<b>Amendments:</b>	

**SB 397 Real and Personal Property; municipalities to hire state licensed real estate brokers to assist in sale; allow**

Bill Summary: Senate Bill 397 allows cities to contract with real estate agents or brokers for the purpose of marketing city-owned property.

<b>Authored By:</b>	Sen. Ben Watson (1st)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Governmental Affairs	<b>Committee Action:</b>	03-14-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 156 Nays: 1	<b>Amendments:</b>	AM 45 0010

**SB 402 "Achieving Connectivity Everywhere (ACE) Act"**

Bill Summary: Senate Bill 402 is the 'Achieving Connectivity Everywhere (ACE) Act.' The bill summary appears under "Motions to Insist" on Pages 1-2.

<b>Authored By:</b>	Sen. Steve Gooch (51st)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Ways & Means	<b>Committee Action:</b>	03-19-2018 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 161 Nays: 6	<b>Amendments:</b>	

**SB 422 Clinical Laboratories; exempting pharmacists from provisions of said chapter when performing certain tests; provisions; change**

Bill Summary: This bill relates to clinical laboratories to provide changes to provisions exempting pharmacists from blood tests and interpreting the results. Pharmacists performing such tests shall make reasonable efforts to report the results obtained from the test to the patient's physician of choice.

<b>Authored By:</b>	Sen. Renee Unterman (45th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Health & Human Services	<b>Committee Action:</b>	03-14-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 158 Nays: 1	<b>Amendments:</b>	

**SB 451 State Soil and Water Conservation Commission; formulate certain rules and regulations in consultation with Environmental Protection Division of the Dept. Of Natural Resources; remove authority**

Bill Summary: SB 451 codifies the executive action that places the agriculture water metering program within the Environmental Protection Division (EPD) of the Department of Natural Resources. The bill also removes a \$250 application fee placed on farms within the Flint River basin.

The following affect ground and surface water withdrawals:

If a permit is modified, amended, transferred, or assigned, the permittee shall have one year from the updated date to have an acceptable type of water-measuring device installed at the cost of the permittee. When the device is installed, EPD shall have 60 days to inspect the device.

SB 451 also requires EPD to develop a priority system for installing state-sponsored water-measuring devices. If a site does not have the proper infrastructure for a state-sponsored water-measuring device, the permittee has five years to meet the infrastructure requirements. After the expiration of five years, the permittee shall be responsible for installing an acceptable water-measuring device.

After November 1, 2019, SB 451 requires all permittees to be responsible for annually recording data from their water-measuring device between November 1 and November 30. The permittee shall transmit the data to the EPD by January 15 of the following year. The permittee will be responsible for all costs associated with recording the data. The EPD shall use the data to improve the accuracy of meter readings and be responsible for any maintenance, repair, or replacement of water-measuring devices necessary to ensure accurate water usage readings.

<b>Authored By:</b>	Sen. Larry Walker III (20th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Natural Resources & Environment	<b>Committee Action:</b>	03-15-2018 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 167 Nays: 1	<b>Amendments:</b>	

### SR 537 State Property; unauthorized vehicular traffic; provide closure

**Bill Summary:** Senate Resolution 537 closes the portion of Mitchell Street from Washington Street to Capitol Avenue to unauthorized vehicular traffic.

<b>Authored By:</b>	Sen. Brandon Beach (21st)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Transportation	<b>Committee Action:</b>	03-15-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 106 Nays: 59	<b>Amendments:</b>	
<b>Floor Action:</b>	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.

<b>Authored By:</b>	Rep. Dar'shun Kendrick (93rd)	<b>Rule Applied:</b>	Modified-Open
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### 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.

<b>Authored By:</b>	Rep. Jason Spencer (180th)	<b>Rule Applied:</b>	Modified-Open
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### SB 191 Petroleum Pipelines; regulation and permitting in this state; definitions; provide

**Bill Summary:** SB 191 designates the shoal bass as the state's official ative riverine sport fish.

<b>Authored By:</b>	Sen. Rick Jeffares (17th)	<b>Rule Applied:</b>	Modified-Structured
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**SB 263 City of Eagles Landing; incorporate; charter; provide**

Bill Summary: House Bill 639 authorizes a local referendum for the creation of the city of Eagles Landing.

**Authored By:** Sen. Rick Jeffares (17th)      **Rule Applied:** Modified-Structured

**SB 332 Department of Natural Resources; hunter mentor program; provide**

Bill Summary: SB 332 creates a hunter mentor program within the Department of Natural Resources (DNR). The program will include an outdoor passport for mentees in the program, which grants non-commercial hunting and fishing privileges across all categories. The bill requires DNR to provide instruction to outdoor mentors before working with a mentee. DNR shall also work with partners to create incentives for participating mentors, which may include reduced license fees. SB 332 sets an annual license fee of \$50 for a non-resident youth sportsman's license for those 15 years of age or younger.

**Authored By:** Sen. Tyler Harper (7th)      **Rule Applied:** Modified-Structured

**Local Calendar****HB 1061 Tarrytown, Town of; provide new charter**

Bill Summary: This bill provides a new charter for the Town of Tarrytown.

**Authored By:** Rep. Greg Morris (156th)      **Rule Applied:**  
**House** Intragovernmental Coordination - **Committee** 03-21-2018 Do Pass  
**Committee:** Local **Action:**  
**Floor Vote:** Yeas: 155 Nays: 0 **Amendments:**

**HB 1063 South Fulton, City of; limit authority of mayor and city council over personal matters**

Bill Summary: This bill limits the authority of the mayor and city council of the City of South Fulton over personnel matters.

**Authored By:** Rep. Roger Bruce (61st)      **Rule Applied:**  
**House** Intragovernmental Coordination - **Committee** 03-21-2018 Do Pass  
**Committee:** Local **Action:**  
**Floor Vote:** Yeas: 155 Nays: 0 **Amendments:**

**HB 1064 Fulton County; ad valorem tax; provide new homestead exemption**

Bill Summary: This bill provides a homestead exemption from Fulton County ad valorem taxes in the amount of \$50,000 for residents who are older than 65 years of age.

**Authored By:** Rep. Chuck Martin (49th)      **Rule Applied:**  
**House** Intragovernmental Coordination - **Committee** 03-21-2018 Do Pass by Committee  
**Committee:** Local **Action:** Substitute  
**Floor Vote:** Yeas: 155 Nays: 0 **Amendments:**

**HB 1065 Jefferson, City of; creation of one or more community improvement districts; provide**

Bill Summary: This bill provides for the creation of one or more community improvement districts in the City of Jefferson.

**Authored By:** Rep. Tommy Benton (31st)      **Rule Applied:**  
**House** Intragovernmental Coordination - **Committee** 03-21-2018 Do Pass  
**Committee:** Local **Action:**  
**Floor Vote:** Yeas: 155 Nays: 0 **Amendments:**

**HB 1067 Stonecrest, City of; ad valorem tax; provide homestead exemption**

Bill Summary: This bill provides a homestead exemption, which has the effect of a valuation freeze, from City of Stonecrest ad valorem taxes.

<b>Authored By:</b>	Rep. Vernon Jones (91st)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-21-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 155 Nays: 0	<b>Amendments:</b>	

**HB 1068 Stonecrest, City of; ad valorem tax; provide homestead exemption**

Bill Summary: This bill provides a homestead exemption for disabled and senior citizen residents from City of Stonecrest ad valorem taxes for municipal purposes in the amount of \$14,000, provided the resident's income does not exceed \$15,000.

<b>Authored By:</b>	Rep. Vernon Jones (91st)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-21-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 155 Nays: 0	<b>Amendments:</b>	

**HB 1069 Stonecrest, City of; ad valorem tax; provide homestead exemption**

Bill Summary: This bill provides a homestead exemption from City of Stonecrest ad valorem taxes for municipal purposes.

<b>Authored By:</b>	Rep. Vernon Jones (91st)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-21-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 155 Nays: 0	<b>Amendments:</b>	

**HB 1070 Stonecrest, City of; ad valorem tax; provide homestead exemption**

Bill Summary: This bill provides a homestead exemption from City of Stonecrest ad valorem taxes for municipal purposes in the amount of \$10,000.

<b>Authored By:</b>	Rep. Vernon Jones (91st)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-21-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 155 Nays: 0	<b>Amendments:</b>	

**HB 1071 Stonecrest, City of; ad valorem tax; provide homestead exemption**

Bill Summary: This bill provides for a homestead exemption for unremarried surviving spouses of military veterans from City of Stonecrest ad valorem taxes for municipal purposes.

<b>Authored By:</b>	Rep. Vernon Jones (91st)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-21-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 155 Nays: 0	<b>Amendments:</b>	

**HB 1072 Henry County; annual salary for coroner and deputy coroner; provide**

Bill Summary: This bill provides for the salaries of the Henry County coroner and deputy coroner.

<b>Authored By:</b>	Rep. Geoffrey Cauble (111th)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-21-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 155 Nays: 0	<b>Amendments:</b>	

**SB 477 City of Decatur; levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A; authorize the governing authority**

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

<b>Authored By:</b>	Sen. Elena Parent (42nd)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-21-2018 Do Pass
<b>Floor Vote:</b>	Yeas: 155 Nays: 0	<b>Amendments:</b>	

**SB 478 "City of Brookhaven Public Facilities Authority Act"**

Bill Summary: This bill creates the City of Brookhaven Public Facilities Authority.

<b>Authored By:</b>	Sen. Elena Parent (42nd)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Intragovernmental Coordination - Local	<b>Committee Action:</b>	03-21-2018 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 155 Nays: 0	<b>Amendments:</b>	

## Next on the Floor from the Committee on Rules

*The Committee on Rules has fixed the calendar for the 39th Legislative Day, Tuesday, March 27, and bills may be called at the pleasure of the Speaker.*

### **HR 1160 House Study Committee on Risks Associated with Kratom; create**

Bill Summary: This resolution creates a committee to study the use and risks of kratom, a possible opioid, to determine if action is necessary. The committee is composed of three members of the House of Representatives.

**Authored By:** Rep. Dewayne Hill (3rd)  
**House Committee:** Special Rules

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

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

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

**Authored By:** Rep. Andrew Welch (110th)  
**House Committee:** Ways & Means

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

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

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

**Authored By:** Rep. Robert Dickey (140th)  
**House Committee:** Agriculture & Consumer Affairs

**Rule Applied:** Modified-Open  
**Committee Action:** 03-20-2018 Do Pass

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

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

**Authored By:** Sen. John Kennedy (18th)  
**House Committee:** Judiciary Non-Civil

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-20-2018 Do Pass by Committee Substitute

### **SB 263 City of Eagles Landing; incorporate; charter; provide**

Bill Summary: House Bill 639 authorizes a local referendum for the creation of the city of Eagles Landing.

**Authored By:** Sen. Rick Jeffares (17th)  
**House Committee:** Governmental Affairs

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-07-2018 Do Pass by Committee Substitute

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

Bill Summary: SB 335 provides that 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 years when the offense is committed against an individual who is younger than 16 years of age or when the individual is known to have a developmental disability.

SB 335 also creates the crime of sexual assault of the first and second degree committed by persons in authority upon those under their authority. The bill applies to: an employee or agent of a school; an employee or agent of any community supervision office; an employee or agent of a law enforcement agency; an employee or agent of a correctional facility; a practitioner or counselor of psychotherapy; or an employee, agent, or volunteer at any facility licensed to provide drug and alcohol treatment, senior living care, or hospice services.

Individuals commit the offense of sexual assault in the second degree when they engage in sexual contact and knew or should have known the victim was under the care or supervision of such individuals. Consent of the victim is not a defense to prosecution of sexual assault in the second degree. The punishment is a felony with: a term of imprisonment not less than one year nor more than five years; a fine not to exceed \$25,000; and is not subject to be registered as a sex offender unless there is a second or subsequent offense. If at the time of the offense, the offender serving in his or her official capacity did not have supervisory or disciplinary authority over the victim, that person shall be guilty of a misdemeanor of a high and aggravating nature and not be subject to be registered as a sex offender. If at the time of the offense, the victim is under the age of 16, the offender shall be punished by imprisonment for not less than five nor more than 20 years and subject to be registered as a sex offender. In addition, if at the time of the offense, the victim is at least 16 years of age, and the offender is less than 21 years of age, the offender shall be guilty of a misdemeanor. The crime of sexual assault in the second degree does not apply to individuals who are married to each other.

Individuals commit the offense of sexual assault in the first degree when they engage in explicit sexual conduct and knew or should have known the victim was under the care or supervision of such individuals. Consent of the victim is no defense to prosecution of sexual assault in the first degree. The punishment is a felony with: a term of imprisonment not less than one year nor more than 25 years; a fine not to exceed \$100,000; and subject to be registered as a sex offender. When the victim was at least 16 years of age and consented to the conduct, the offender shall not be subject to be registered as a sex offender unless the state has shown, by a preponderance of the evidence, the offender has attempted or engaged in a similar offense. In addition, if at the time of the offense, the offender serving in his or her official capacity did not have supervisory or disciplinary authority over the victim, such person shall be guilty of a felony with: a term of imprisonment not less than one year nor more than 10 years; a fine not to exceed \$50,000; and is not subject to be registered as a sex offender, unless the victim was under the age of 16 at the time of the crime, in which case, the offender shall be punished by imprisonment for not less than 25 nor more than 50 years and subject to be registered as a sex offender. Moreover, if at the time of the offense, the victim is between the ages of 14 and 16, and the offender is 18 years old or younger, and is no more than four years older than the victim, such offender shall be guilty of a misdemeanor. In addition, if at the time of the offense, the victim is at least 16 years of age, and the offender is less than 21 years of age, such offender shall be guilty of a misdemeanor. The crime of sexual assault in the first degree does not apply to individuals who are married to each other.

SB 335 also contains the 'Hidden Predator Act of 2018'. The bill increases the statute of limitations for an action relating to childhood sexual abuse from two to four years from the point that a plaintiff knew or had reason to know that such abuse resulted in injury. Moreover, childhood sexual abuse committed on or after July 1, 2018 by a plaintiff who is between the age of 23 and 38 years may bring action for the recovery of damages suffered as a result of childhood sexual abuse. It provides for a one-year window for a victim of childhood sexual abuse to file civil actions, which have technically lapsed, against an entity, which: had the responsibility of care for the plaintiff; knew or should have known of the conduct giving rise to the civil action; and intentionally or with conscious indifference concealed evidence of such conduct. After July 1, 2019, when an entity has a responsibility of care of the plaintiff, any civil action for the recovery of damages suffered as a result of childhood sexual abuse shall be commenced within one year from the date that the plaintiff discovered evidence that such entity,

intentionally or with conscious indifference, concealed evidence of such abuse.

**Authored By:** Sen. Renee Unterman (45th)  
**House Committee:** Judiciary Non-Civil

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-20-2018 Do Pass by Committee Substitute

**SB 338 Administrative Procedure; agency rule making; modify requirements**

**Bill Summary:** This bill clarifies agency rule-making regarding notice and comment for adoption, amendment, or repeal as well as the timing of adoption and effective dates of rules, and standing committees' ability to review rules.

**Notice and Comment Period:** The deadline for providing notice of intent to adopt a rule to the public and legislative counsel is extended from 30 days prior to effective date to 60 days prior to adoption with a later effective date with provisions. The notice of intent to adopt a rule must contain the existing rule if repealing or amending the rule. Additionally, the requirement that a synopsis be distributed in same manner as a proposed rule is removed. The bill clarifies that the date, time, and location of the public meeting must be in the notice and adds a requirement that the public meeting occur at least 30 days after the filing of the notice. Further, a citation and concise explanation of statutory and constitutional authority under which proposed rule is adopted is required; however, proposals for repeal or amendment of an existing rule do not have this requirement. The bill removes the mandatory oral hearing requirements for substantive rules-making hearings required generally. Reducing the economic impact on small business is now a requirement of agency rule-making.

**Adopting Rules:** Now, where an agency complies with the notice and comment provisions the rule shall be deemed adopted upon the date of submission of such rule to the office of the secretary of state, and the submission must include the public notice that noticed the rule. The agency must also concurrently submit the rule to the legislative counsel, and the legislative counsel must still, in accordance with rules established by the General Assembly, distribute rules to: the presiding officers of each branch, the chairperson of the appropriate standing committee, and any member thereof who makes a standing written request. The standing committee to which the rule is assigned may also object to the rule by majority vote of the current members in person or by telephone if permitted by the rules of that chamber, although this is not required for the introduction of a joint resolution. Current law requires an in person vote by two-thirds of its members as of January.

**Effective Date for Rules:** Rules adopted on or before December 1 shall become effective as of March 15th of the following calendar, unless the Georgia General Assembly objects via a joint disapproval resolution or passes an earlier effective date resolution. Rules adopted after December 1 shall become effective as of March 15th in the calendar year following the next calendar year, unless, again, the Georgia General Assembly objects via a joint disapproval resolution or passes an earlier effective date resolution.

The joint disapproval resolution or earlier date resolution may begin in either chamber, upon being adopted by majority vote of one chamber it shall be immediately transmitted to the other chamber and voted upon within 5 days after receipt of the resolution and before the 40th legislative day. If the resolution is adopted, it shall be submitted to the governor for approval or veto. Regarding a change in the effective date, if the resolution is approved by the governor or if the governor's veto is overridden, the resolution shall become effective on the day after the governor's approval or General Assembly overriding the governor's veto, although the effective date shall not exceed March 15. Regarding voiding the rule, the resolution shall become effective the day after the governor's approval or the General Assembly overriding the veto.

Currently, the law allows the standing committee of either house of the General Assembly to which the bill is assigned to file an objection to the rule. If the agency ignores the objection and decides to adopt the proposed rule, then the standing committee that objected may consider the rule at any time within the first 30 days of the next session by filing a resolution of disapproval regarding the rule. However, if the standing committee files an objection and such objection is adopted by a two-thirds vote of the standing committee prior to the rule being adopted by the agency, then the rule is stayed until the next legislative session, at which time the standing committee that objected may consider the rule at any time within the first 30 days of the next session by filing a resolution of disapproval regarding the rule.

In each case, if the disapproval resolution is adopted by a two-thirds majority in each house, then the rule shall become void. If the resolution is passed by a majority in each house, it shall be presented to the governor for approval or veto. If the governor vetoes the resolution the rule shall remain in effect, but if the governor approves the resolution the rule shall become void the day after the governor's approval.

**Contesting Rulemaking Procedures:** Proceedings to contest any rule for failing to comply with these procedures must be commenced within two years of effective date, otherwise the rule will now be deemed valid, rather than this merely being a statute of limitations.

**Emergency Rules:** Emergency rules are now adopted upon submission to the governor and become effective upon approval by the governor. Emergency rules are also subject to resolutions of disapproval and change in effective date from the General Assembly. These rules are still only effective for a period of not more than 120 days and must be promptly submitted to the House and Senate Judiciary Committees.

**Effective Date of Rules Filed With Secretary of State:** The requirement that a rule shall not become effective until 20 days after the rule is filed with the secretary of state is removed as well as the exceptions that apply to the 20-day filing period to reflect the changes in the other parts of the bill.

**Authored By:** Sen. William Ligon, Jr. (3rd)  
**House Committee:** Judiciary

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-15-2018 Do Pass by Committee Substitute

**SB 339 Board of Regents and University System; establishment of free speech policies for institutions of the university system; provide**

**Bill Summary:** Senate Bill 339 adds new provisions to the Code requiring the Board of Regents of the University System of Georgia to develop a free speech policy to be implemented at all state institutions within the system.

This bill enumerates seven principles that the board shall address when adopting regulations and policies regarding free speech, including: protect freedom of speech and press for all persons; foster learning through the sharing of different ideological positions; require that each institution publish content neutral time, place, and manner restrictions on expressive activities for the use of facilities and resources using the least restrictive means necessary for that use in order to foster learning through the sharing of different ideological positions; assure that the institution does not shield students and teachers from speech protected by the First Amendment; assure that students and faculty can assemble and engage in expressive activity that is lawful, does not interfere with classroom instruction, and is permitted by university policies; assure that the institution is open to speakers invited by students and faculty, so long as the speaker complies with university policies; and protect students and their guests who peacefully protest, so long as they do not interfere with classroom instruction, violate university policy, or interfere with previously scheduled events.

The bill also requires the board to establish a range of disciplinary sanctions for anyone under the jurisdiction of any state institution who has violated the board's policies on free speech. It provides that the board must submit a yearly report to the governor and General Assembly which includes information regarding barriers or disruptions of free expression, administrative handling of discipline, substantial difficulties in maintaining administrative and institutional neutrality, and any criticisms or recommendations the board would like to include.

The board is authorized to adopt regulations to further the purposes of these policies. Nothing in these provisions shall be construed to prevent institutions from regulating activity that is prohibited by law.

**Authored By:** Sen. William Ligon, Jr. (3rd)  
**House Committee:** Judiciary

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-15-2018 Do Pass by Committee Substitute

**SB 427 Child Support in Final Verdict or Decree; court's discretion in making a final determination of support; provisions; change**

Bill Summary: SB 427 provides that a court's final determination of child support shall take into account the obligor's (individual owing a duty of support to a child or children) earnings, income, other evidence of ability to pay, and the basic subsistence needs of the parents and the child for whom support is to be provided. When a parent fails to produce reliable evidence of income, their income may be imputed by the court based on the circumstances of the parent, the local job market, availability of employers "willing to hire the parent", prevailing earning levels in the community and other relevant factors. Additionally, if a parent is incarcerated that parent's income may be imputed based on the actual income and assets available to such incarcerated parent, but shall not be based on pre-incarceration wages. An individual's incarceration that prevents employment shall not be determined as being willfully or voluntary unemployed or underemployed.

The bill also provides that a child's enrollment in Medicaid, PeachCare for Kids, or other public health care program can satisfy the requirements in the child support order for providing for the child's health care needs, but such enrollment also does not prevent a court from ordering the parents to obtain health insurance for the child. Previously, enrollment of the child in Medicaid or PeachCare for Kids was insufficient to comply with a child support order to provide for a child's healthcare needs. When calculating a deviation from the presumptive amount of child support, a non-custodial parent's ability or inability to pay may serve as the basis of the deviation. Moreover, the bill provides that a non-specific deviation may be used when the court or jury finds the non-custodial parent has a limited ability to pay the presumptive amount of child support. Further, the bill increases the amount the department can charge an obligor for a federal 'Deficit Reduction Act of 2005' fee from \$25 to \$35 for each case.

**Authored By:** Sen. John Kennedy (18th)  
**House Committee:** Judiciary

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-15-2018 Do Pass by Committee Substitute

**SB 461 Barbers and Cosmetologists; provisions; change**

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

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

**Authored By:** Sen. Jesse Stone (23rd)  
**House Committee:** Regulated Industries

**Rule Applied:** Modified-Open  
**Committee Action:** 03-20-2018 Do Pass by Committee Substitute

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

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

**Authored By:** Sen. John Kennedy (18th)  
**House Committee:** Judiciary Non-Civil

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-20-2018 Do Pass by Committee Substitute

## Committee Actions

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

### Appropriations Committee

#### **SB 366 Local Government; counties and municipal corporations to perform wage and compensation studies for employees of sheriff's office; require**

Bill Summary: Senate Bill 366 requires local counties and municipalities to complete a compensation study of all local peace officers and jail officers. Local counties and municipalities will produce and submit to the commissioner of the Department of Community Affairs a compensation report by December 31, 2018. This legislation requires an updated compensation report to be submitted to the commissioner of the Department of Community Affairs every third year after the first submission. SB 366 requires the commissioner to prepare and publish a local law enforcement compensation guidance report for each region by June 30 of the year following the compensation report submissions. SB 366 requires the commissioner to send failure to comply notices to any counties and municipalities which have not submitted their compensation reports by December 31 of the required reporting year. Once a notice is sent, counties and municipalities have 60 days to submit their compensation reports or risk revocation of their qualified local government status.

**Authored By:** Sen. Steve Gooch (51st)  
**House Committee:** Appropriations

**Committee Action:** 03-23-2018 Do Pass by Committee Substitute

### Defense & Veterans Affairs Committee

#### **HR 1612 Federal government; take extra measures to provide necessary health care and additional needs of our veterans and families affected by contaminated water at Camp Lejeune; urge**

Bill Summary: HR 1612 urges the federal government to take measures necessary to provide for the healthcare and other needs of those affected by the contaminated water supply at Marine Corps Base Camp Lejeune in North Carolina.

**Authored By:** Rep. Darrel Ealum (153rd)  
**House Committee:** Defense & Veterans Affairs

**Committee Action:** 03-23-2018 Do Pass by Committee Substitute

### Judiciary Non-Civil Committee

#### **HR 1417 Joint Study Committee on Cultivation, Manufacture, and Dispensing of Medical Cannabis Low THC Oil; create**

Bill Summary: HR 1417 creates the Joint Study Committee on Cultivation, Manufacture, and Dispensing of Medical Cannabis Low THC Oil. The speaker of the House of Representatives and the president of the Senate will each appoint three members and designate a co-chair. The committee is authorized to conduct five meetings.

**Authored By:** Rep. Alan Powell (32nd)  
**House Committee:** Judiciary Non-Civil

**Committee Action:** 03-23-2018 Do Pass by Committee Substitute

## Committee Meeting Schedule

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

**Monday, March 26, 2018**

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