



Georgia

HOUSE OF REPRESENTATIVES

Thursday
March 29,
2018

DAILY REPORT

40th
Legislative
Day

House Budget & Research Office
(404) 656-5050

House Media Services
(404) 656-0309

Today on the Floor

Conference Committee Reports

HB 217 Income tax credit; certain scholarship organizations; increase amount of the aggregate cap on contributions

Bill Summary: House Bill 217 amends 48-7-29.16, relating to the qualified education tax credit, by adjusting the tax credit cap for 2018 to \$58 million, for 2019 through 2028 to \$100 million, and for 2029 and all subsequent tax years to \$58 million. Donors to student scholarship organizations must be pre-approved by the department before making a qualifying tax credit donation, and student scholarship organizations must file an annual report with the department showing all fees or assessments retained by the student organization.

House Bill 217 further amends 20-2A-2, relating to student scholarship organizations, by requiring a certain amount of donations to be used for student scholarship tuition and grants. All student scholarship organizations must be audited by an independent certified public accountant within 120 days after the calendar year, and the auditor must file a report of the performance of the tax credit to the House Ways and Means Committee and Senate Finance Committee. Student scholarship organizations must report to the department the number and dollar value of individual and corporate tax credit contributions approved, a list of donors with the approved donation, and the number and dollar value of scholarships awarded to students whose family income falls within a range of the federal poverty level. The department shall post this information on its website.

House Bill 217 also amends 48-8-3, relating to exemptions for state sales and use taxes, by granting an exemption for non-commercial written materials or mailings for qualifying organizations. The exemption begins July 1, 2018 and sunsets July 1, 2021.

Authored By: Rep. John Carson (46th)

Rule Applied: Structured

Conference Committee Reports(Adoption of the conference committee report represents final passage of the bill.)

HB 329 Income tax; rate of tax imposed on the taxable net income of individuals; modify

Bill Summary: House Bill 327 amends 48-5C-1, relating to alternative ad valorem tax on motor vehicles, by removing the current state/local fund distribution model and replacing it with the following. Beginning July 1, 2019, the state and local TAVT proceeds shall be distributed by each county remitting 35 percent of the funds to the state revenue commissioner and distributing 65 percent locally as follows:

- funds associated with vehicles registered in unincorporated areas of the county are distributed with 51 percent of the proceeds sent to the county governing authority and 49 percent of the proceeds sent to the board of education of the county school district; and

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

The bill also states that the combined state and local title ad valorem tax shall remain seven percent of the taxable value of the vehicle. The taxable value for non-business related leased vehicles is the total of the base payments plus any down payments. The taxable value for business related leased vehicles is the agreed upon value of the motor vehicle less any reduction for trade-in value of another vehicle. The reduction for the value of a trade-in vehicle is only available if the name of the owner and the vehicle identification number is included on the bill of sale. For a kit car, the taxable value is the greater of the retail selling price of the kit or the average of the current fair market value and the current wholesale value of the vehicle.

The bill allows for the local tag agent to collect and remit to the local county's general fund not more than one percent of the total to defray administrative costs. Individuals who move to Georgia shall pay a title ad valorem tax fee of three percent of the fair market value of the vehicle. Vehicles donated to non-profit organizations shall be subject to a title ad valorem fee of one percent of the fair market value of the vehicle. TAVT fees do not apply to transfers of a title made as a result of a business reorganization when the owners being reorganized maintain the same interest or transfers for the purpose of obtaining a prestige or special license plate. A vehicle owner of a 1962 or earlier model year vehicle may opt in to the TAVT upon payment of a fee equal to one-half of one percent of the fair market value of the vehicle. The transfer of a title resulting from a divorce decree or court or is subject to a fee equal to one-half of one percent of the fair market value of the vehicle. The bill also allows for a motor vehicle dealer to apply for a refund of title ad valorem taxes on behalf of the purchaser, provided that the dealer pays the purchaser within 10 days. The bill states that temporary plates issued by vehicle dealers are to have an expiration date 45 days from the date of purchase.

Authored By: Rep. Jay Powell (171st) **Rule Applied:** Structured
Conference Committee Reports(Adoption of the conference committee report represents final passage of the bill.)

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 \$26.2 billion, an increase of \$1.2 billion, or 4.9 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, \$724.4 million (60 percent) is budgeted for education, to include full funding for the Quality Basic Education (QBE) formula; \$359.7 million (29.2 percent) is budgeted for health and human services; and \$127.4 million (10.4 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
Conference Committee Reports(Adoption of the conference committee report represents final passage of the bill.)

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
Conference Committee Reports(Adoption of the conference committee report represents final passage of the bill.)

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 is attached to the Georgia Regional Transportation Authority (GRTA) for administrative purposes and will serve as 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

Conference Committee Reports(*Adoption of the conference committee report represents final passage of the bill.*)

SB 402 "Achieving Connectivity Everywhere (ACE) Act"

Bill Summary: Senate Bill 402, the 'Achieving Connectivity Everywhere (ACE) Act' amends Titles 32, 36, and 50 of the O.C.G.A. to provide for the deployment and expansion of broadband services.

Part Two states the Georgia Department of Transportation (GDOT), in consultation with the Georgia Technology Authority (GTA), shall have the authority to plan for, establish, and implement a long-term policy with regard to the use of right-of-ways of the interstate highways and state-owned roads for the establishment, deployment, and maintenance of broadband services and other emerging communications technologies. All net revenues that are not subject to the jurisdiction of the Federal Highway Administration shall be paid into the State General Fund.

Part Three states the governing bodies of municipalities and counties shall provide in any comprehensive plan for the promotion of the deployment of broadband services by providers.

Part Four states the Board of Economic Development will promote the deployment of broadband services throughout the state, including the deployment of broadband services in any facilities and deployments designated as a Georgia Broadband Ready Community Site. Part Four also gives the Department of Community Affairs (DCA) the authority and duty to undertake activities as may be necessary to carry out any additional authority, duties, and responsibilities as authorized in Chapter 39 of Title 50. It gives GTA the general power to coordinate the establishment and administration of one or more programs to increase economic, educational, and social opportunities for citizens and businesses through the promotion of the deployment of broadband services and other emerging communications technologies.

Part Five adds the speaker of the House, who shall serve as co-vice chair, to the OneGeorgia Authority. It also gives the OneGeorgia Authority the ability to provide funding for projects that include the deployment of broadband services.

Part Six, Article One, provides several definitions. "Broadband services" is defined as a wired or wireless terrestrial services that consists of speed capabilities at a rate of at least 25 megabits per second (Mbps) in the downstream direction and at least 3 Mbps in the upstream direction. It also defines an "unserved area" as a census block 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 policies and programs as are necessary to coordinate statewide efforts to promote and facilitate the deployment of broadband services and other emerging communications technologies. 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.

Part Six, Article Two states DCA shall determine those areas in the state that are served and unserved, and it shall publish the findings. On or before January 1, 2019, DCA shall publish a map on its website showing the unserved areas in the state. DCA shall consult with the Federal Communications Commission (FCC) in determining if a map showing the unserved areas, as determined by DCA, exists. If DCA determines such a map does not exist on or before July 1, 2018, DCA or an agent designated by DCA shall create a map.

All local governments shall cooperate with DCA or the agent by providing requested information as to addresses and locations of broadband services and other emerging communications technologies within their jurisdictions.

DCA or the agent may request information from all providers in the state in developing a map or making the determination as to the percentage of locations within a census block to which broadband services are not available.

An entity that is authorized to apply for or obtains a certificate of authority from the Public Service Commission (PSC), pursuant to O.C.G.A. 45-5-163, a broadband services provider, or a political subdivision may file a petition with DCA along with data specifying locations or census blocks which the petitioner alleges should be designated differently than as shown on the map.

Part Six, 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.

A broadband network project targeting industry development or construction of a new building for a political subdivision that has been certified as a broadband ready community will be given priority for funding by the OneGeorgia Authority.

Part Six, Article Four states DCA shall create and administer the 'Georgia Broadband Ready Community Site Designation Program.' The program shall designate facilities and developments that offer broadband services at a rate of not less than one gigabit per second in the downstream direction. The Department of Economic Development shall promote the program.

Part Six, Article Five enables DCA to develop the 'Georgia Broadband Deployment Initiative' to provide funding awards to expand broadband services to unserved areas of the state. The goal of the program shall be to provide broadband services coverage throughout the entire state. Funds will only be used for capital expense and expenses directly related to the purchase or lease of property or communications services or facilities to facilitate the provision of broadband services.

Funding awards, in the form of grants or loans, shall be competitively awarded to eligible applicants based on criteria found in the article. DCA shall designate political subdivisions as eligible applicants that shall be qualified to apply for funding awards. Funding awards shall be based on appropriations of funds or receipt of other funds. DCA shall consider the effectiveness of the partnership between an eligible applicant and a qualified broadband services provider, the benefit to the unserved area, and the total project cost. DCA shall give competitive priority to any unserved area certified as a broadband ready community. Partnerships that include qualified broadband providers that cooperate in providing information requested to subsection (d) of Code Section 50-39-21 shall also factor favorably into the competitive funding awards process.

On June 30, 2019, and on each June 30 thereafter, DCA shall submit a report to the lieutenant governor, the speaker of the House, and the governor on the progress in achieving the purposes of this article. This report may be submitted in conjunction with the GTA report.

Authored By: Sen. Steve Gooch (51st) **Rule Applied:** Modified-Structured
Conference Committee Reports(Adoption of the conference committee report represents final passage of the bill.)

Motions to Insist

HB 93 Sales and use tax; no interest shall be paid on refunds; provisions

Bill Summary: House Bill 93 adds a new Code section which establishes and defines the direct pay reporting program. The program allows a taxpayer to accrue and pay sales and use taxes directly to the department. To qualify, a taxpayer must purchase more than \$2 million of tangible personal property per year and be classified in one of nine industry codes.

The bill amends 48-8-3, relating to exemptions from state sales and use tax, by adding an exemption on sales tax for 501(c)(5) non-profit organizations which, as their primary purpose, provide poultry-

related diagnostic and disease monitoring services. It adds commercial banking to the list of eligible industries to receive a sales tax exemption on computer equipment purchases that exceed \$15 million.

The bill also amends 48-8-122, relating to annual reporting of county special purpose local option sales tax (SPLOST) projects, by changing the due date for publishing reports from December 31 to 180 days following the close of the most recent fiscal year.

Finally, the bill allows the superior court to have jurisdiction to enforce the requirements of the education local option sales tax.

Authored By: Rep. John Corbett (174th) **Rule Applied:** Structured
Motions to Insist(A motion to insist sends the bill back to the Senate for consideration.)

HB 202 Public officers and employees; annual salary for the Governor; change provisions

Bill Summary: House Bill 202 increases the governor's annual salary from \$60,000 to \$175,000, effective January 1, 2019.

Effective on or before July 1, 2017, the bill revises the State Commission on Compensation from 12 to seven members, who may not be employed by the state nor an immediate family member of an officer or employee of the state. The governor has three appointments and the speaker of the House and the lieutenant governor have two appointments, respectively. Members will vote to elect a chair and are entitled to the state per diem and transportation costs. Recommendations of the committee will be filed as a report with the governor, lieutenant governor, speaker of the House, clerk of the House, secretary of the Senate and legislative counsel at least 90 days before a regular legislative session with compensation recommendations or no recommendation.

Authored By: Rep. Jay Powell (171st) **Rule Applied:** Structured
Motions to Insist(A motion to insist sends the bill back to the Senate for consideration.)

HB 605 Hidden Predator Act of 2018; enact

Bill Summary: HB 605 is 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. HB 605 also 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: Rep. Jason Spencer (180th) **Rule Applied:** Modified-Structured
Motions to Insist(A motion to insist sends the bill back to the Senate for consideration.)

HB 992 Health; use of automated external defibrillators; eliminate certain requirements

Bill Summary: House Bill 992 removes outdated language in Code relating to the requirement for certification to operate and employ automated external defibrillators.

Authored By: Rep. Jodi Lott (122nd) **Rule Applied:** Modified-Structured
Motions to Insist(A motion to insist sends the bill back to the Senate for consideration.)

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' to establish 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. SB 202 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) **Rule Applied:** Modified-Structured
Motions to Insist(*A motion to insist sends the bill back to the Senate for consideration.*)

SB 432 'Georgia Tax Credit Business Case Act'

Bill Summary: Senate Bill 432 adds language which replaces the preceptor tax deduction with a tax credit. The credit shall be \$500 for the first through third preceptorship rotation and \$1,000 for the fourth through tenth preceptorship rotation for physicians and \$375 for the first through third preceptorship rotation and \$750 for the fourth through tenth preceptorship rotation for advanced practice registered nurses and physician assistants.

The bill also provides a sales tax exemption on memberships of one month, or longer, to shooting ranges.

Authored By: Sen. John Albers (56th) **Rule Applied:** Modified-Structured
Motions to Insist(*A motion to insist sends the bill back to the Senate for consideration.*)

Motions to Recede**HB 878 Insurance; cancellation of an insurance policy by an insured; change certain provisions**

Bill Summary: House Bill 878 allows insurers and/or insurance agencies to let their insureds cancel their policy over the telephone.

Authored By: Rep. Heath Clark (147th) **Rule Applied:** Modified-Open
Motions to Recede(*A motion to recede represents final passage of the bill.*)

SB 338 Administrative Procedure; agency rule making; modify requirements

Bill Summary: This bill clarifies adoption, amendment, repeal, and other requirements for agency rulemaking. Under this legislation, the deadline to file notice of intent to adopt a rule is extended from 30 days to 60 days from effective date of proposed adoption. 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 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 and at least 30 days prior to the effective date of the proposed rule. Further, a citation and concise explanation of statutory and constitutional authority under which proposed rule is adopted is required, but the requirement that proposal of repeal or amendment of existing rule be clearly identified is removed.

The bill removes the mandatory oral hearing requirements for substantive rulemaking, unless the hearing is requested by 25 or more people directly affected, a governmental subdivision, or an association with 25 or more persons. Also, reducing the economic impact on small business is now a requirement of agency rulemaking. Proceedings to contest any rule must be commenced within two years of effective date or the rule is deemed valid. The deadline for providing notice of intent to adopt a rule to legislative counsel is extended from 30 to 60 days prior to the effective date.

The provisions for a standing committee overruling a rule are also amended to allow a standing committee of either chamber to object to the rule by a majority vote of its current members in person or by telephone as permitted by the rules of that chamber. After objection, the agency must still accept or seek to overrule the objection. When the agency seeks to overrule the objection and adopt the rule, the agency must notify the presiding officer of each chamber and legislative counsel within 10 days of adopting the rule; however, a rule adopted over objection may be considered in that chamber and that committee may pass a resolution overriding the rule if introduced prior to adjournment of the next regular session or within 40 legislative days. A resolution overriding the rule may be passed by a majority of each branch of the General Assembly. Additionally, a resolution that fails to obtain a two-thirds or more vote of either chamber shall not be submitted to the governor for approval or veto.

When both standing committees of the Senate and House object to the rule by a majority vote, the rule may be stayed until the 40th day of the next legislative session. A resolution overriding the rule may be introduced by either branch within 40 legislative days and upon adoption is immediately transmitted to the other chamber. Such a resolution overriding the rule that is passed by a majority of each chamber voids the rule. Additionally, when a resolution fails to obtain two-thirds or more of either chamber it shall no longer be submitted to the Governor for his or her approval or veto.

Authored By: Sen. William Ligon, Jr. (3rd) **Rule Applied:** Modified-Structured
Motions to Recede(*A motion to recede represents final passage of the bill.*)

Motions to Agree

HB 61 Sales and use tax; certain retailers to either collect and remit or notify purchaser and state; require

Bill Summary: House Bill 61 amends the definition of "dealer" in 48-8-2, relating to state sales and use tax, to include any person who, in the previous or current calendar year, obtains gross revenue exceeding \$250,000 or conducts 200 or more separate transactions from the sale of tangible personal property that is physically or electronically delivered into this state. The bill also allows the Department of Revenue to bring an action for declaratory judgment in any superior court against any person the department believes meets this definition of dealer. Any final decision of the superior court shall be directly appealable to the Supreme Court.

The bill also amends 48-8-30 by defining the term "delivery retailer" to mean any retailer that, in the previous or current calendar year, obtains gross revenue exceeding \$250,000 or conducts 200 or more separate transactions from the sale of tangible personal property that is physically or electronically delivered into this state. The bill further states that a delivery retailer must: either collect and remit sales tax or notify the purchaser that sales or use tax may be due to the State of Georgia on the purchase; send a sales and use tax statement to all purchasers whose purchases during the calendar year totaled \$500 or more; and submit a copy of all sales and use tax statements to the Department of Revenue by January 31 of each year. The sales and use tax statement must be on a Department of Revenue form and include the total amount paid by the purchaser for retail sales by the delivery retailer during the previous year, the dates of the purchases, the amounts of each purchase, the category of each purchase, whether the purchase is exempt from taxation, and the following statement: "Sales or use taxes may be due to the State of Georgia on the purchase(s) identified in this statement as Georgia taxes were not collected at the time of purchase. Georgia law requires certain consumers to file a sales and use tax return remitting any unpaid taxes due to the State of Georgia." Penalties for failing to comply with these requirements are \$5.00 per occurrence for failing to notify the purchaser prior to completing the transaction, \$10.00 per occurrence for failing to send a sales and use statement to the purchaser, and \$10.00 per occurrence for failing to file a copy of the sales and use statement with the Department of Revenue.

Authored By: Rep. Jay Powell (171st) **Rule Applied:** Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 64 Protection and Guarantee of Service for Health Insurance Consumers Act; enact

Bill Summary: House Bill 64 requires insurance carriers that sell health insurance through an insurance agent to provide the agent with a commission. The commission must be structured in a way that does not directly or indirectly discriminate in the amount paid to the agent for the sale of a group plan or an individual plan.

Authored By: Rep. Shaw Blackmon (146th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 65 Low THC Oil Patient Registry; conditions and eligibility; change provisions

Bill Summary: HB 65 creates a joint study commission to investigate the cultivation, harvesting, distribution, and safety of low THC oil. The speaker of the House and the president of the Senate shall each appoint five members to the commission.

The bill adds to the list of conditions that can be treated with low THC oil to include post-traumatic stress disorder and intractable pain when other forms of medical treatment have been ineffective. Moreover, HB 65 requires the Medical Composite Board of Georgia to annually recommend additional conditions that could benefit from the use of low THC oil.

Authored By: Rep. Allen Peake (141st) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 85 Ad valorem tax; methodology used to establish forest land fair market value; revise

Bill Summary: House Bill 85 amends the definition of "forest land fair market value" by removing the benchmark of the 2008 value and referencing the constitutional definition which includes a 2016 base year which is adjusted every third year. The bill also specifies that the property must be of at least 200 acres with 100 acres being in any one county. Tangible property qualifying as forest land conservation use property or timberland property shall be assessed at 40 percent of its assessed value and taxed according to that assessment. The length of the covenant is reduced from 15 to 10 years.

The bill adds a new section, relating to special assessment of forest land conservation use property, which mandates the commissioner of the Department of Revenue to deduct and retain a three percent fee on the assistance grants provided to counties and sets the value of the local assistance grants. For 2019 the value will increase by 80 percent of the difference between the value of the local assistance grant received in 2018 and the amount the county is eligible to receive in 2019. For 2020 the value will increase by 60 percent of the difference between the value of the local assistance grant received in 2018 and the amount the county is eligible to receive in 2020. For 2021 the value will increase by 40 percent of the difference between the value of the local assistance grant received in 2018 and the amount the county is eligible to receive in 2021. For 2022 the value will increase by 20 percent of the difference between the value of the local assistance grant received in 2018 and the amount the county is eligible to receive in 2022.

The bill also defines "timberland property" as property that is primarily used for the production of trees for the purpose of producing timber for commercial uses. Timberland property is established as its own class of property in the constitution and the commissioner of the Department of Revenue is given the responsibility of providing an annual appraisal of all timberland property in the state and providing those appraisals to the counties. The assessed value of all timberland property must be at least 175 percent of such property's forest land conservation value. The commissioner shall maintain a qualified timberland property appraisal manual. Timberland property must be at least 50 contiguous acres, have the production of trees on the property being done for the purpose of making a profit and being the primary activity taking place on the property, and have a consistent effort taking place to clearly demonstrate land management practices consistent with accepted commercial forestry practices.

Authored By: Rep. Jay Powell (171st) **Rule Applied:** Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 93 Sales and use tax; no interest shall be paid on refunds; provisions

Bill Summary: House Bill 93 adds a new Code section which establishes and defines the direct pay reporting program. The program allows a taxpayer to accrue and pay sales and use taxes directly to the department. To qualify, a taxpayer must purchase more than \$2 million of tangible personal property per year and be classified in one of nine industry codes.

The bill amends 48-8-3, relating to exemptions from state sales and use tax, by adding an exemption on sales tax for 501(c)(5) non-profit organizations which, as their primary purpose, provide poultry-related diagnostic and disease monitoring services. It adds commercial banking to the list of eligible industries to receive a sales tax exemption on computer equipment purchases that exceed \$15 million.

The bill also amends 48-8-122, relating to annual reporting of county special purpose local option sales tax (SPLOST) projects, by changing the due date for publishing reports from December 31 to 180 days following the close of the most recent fiscal year.

Finally, the bill allows the superior court to have jurisdiction to enforce the requirements of the education local option sales tax.

Authored By: Rep. John Corbett (174th) **Rule Applied:** Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 149 Law enforcement; comprehensive regulation of trauma scene cleanup services; provisions

Bill Summary: House Bill 149 provides statute to regulate trauma scene cleanup services. The Georgia Bureau of Investigation will be responsible for registering trauma scene waste management practitioners. The registration is valid for three years and may be renewed for additional three-year periods. The initial registration fee is \$275 and \$275 upon renewal. The bureau will maintain a current list of all registered trauma scene waste management practitioners on their website. Each practitioner, before being registered, must submit to a fingerprint-based background check and every three years following the initial background check. No person convicted of a felony is eligible for registration. Each practitioner must be bonded in the amount of \$100,000. An additional requirement is to have liability insurance. The director of the bureau is authorized to issue temporary registrations in the event of a declared public emergency or a state of emergency; however, these registrations terminate no later than 90 days from issuance. This legislation does not prevent a private property owner from cleaning up a scene on their property themselves.

Authored By: Rep. Alan Powell (32nd) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 190 Domestic relations; marriage articles and antenuptial agreements; change provisions

Bill Summary: HB 190 amends Title 19 to create uniformity between marriage contracts, commonly known as "prenuptial agreements", and divorce contracts, also known as "antenuptial agreements". The bill requires antenuptial agreements be in writing and attested to by at least two witnesses, one of whom must be a notary, which is the same standard for marriage contracts.

In addition, a marriage agreement may not contain provisions that prevent a spouse from paying his or her existing debts. The younger spouse in a marriage or antenuptial agreement cannot invalidate that agreement as long as the spouse is of legal age to contract marriage. If a marriage contract is in writing, it is understood to express the intentions of the parties and no lack of form shall invalidate it.

Either spouse may voluntarily execute an antenuptial agreement. Either spouse can at any time during the marriage, either directly or indirectly through a trustee, transfer title of any property to which the spouse has title without notice, subject to limitations by prior purchasers or creditors. The superior court judge can at any time upon petition change/remove trustees and does not need to transmit the

proceeding in each case to the clerk of the superior court for recording purposes. Antenuptial agreements may be enforced by a court of equity for the parties to the marriage or the offspring of the marriage and their heirs after either spouse's death, so long as the court may enforce in favor of other persons.

The bill removes requirements and sanctions for recording or failure to record marriage contracts and voluntary settlements with the office of the clerk of the superior court.

Finally, the antiquated term "marriage articles" is removed and "agreements made upon consideration of marriage" is retained.

Authored By: Rep. Meagan Hanson (80th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 273 Quality Basic Education Act; daily recess for students in kindergarten and grades one through five; provide

Bill Summary: House Bill 273 amends O.C.G.A. 20-2-323 to require local boards of education to provide recess, an average of 30 minutes, for kindergarten and grades one through five beginning in the 2017-2018 school year.

Authored By: Rep. Demetrius Douglas (78th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 275 Game and fish; rules and regulations used to establish criminal violations; change provisions

Bill Summary: HB 275 makes changes to hunting seasons and bagging limits, including the removal of all county-specific restrictions for hunting opossums and raccoons. In addition, the bill adds Bibb, Chatham, Clarke, and Henry Counties to a list of counties with an extended, archery-only open deer season and allows for the Department of Natural Resources to create a deer management assistance program. The bill also removes language that makes it unlawful to hunt on a wildlife management area without a valid wildlife management license.

HB 275 defines "air gun" as any pistol, handgun, or shoulder-held device of not less than 0.30 caliber that propels a projectile utilizing unignited compressed air or gas. The bill allows for the use of an air gun for hunting big game and feral hogs during primitive weapon hunts, primitive weapon seasons, and firearm seasons.

HB 275 requires the Department of Natural Resources to be notified when an abandoned vessel is removed from a public or private waterway.

Authored By: Rep. Matt Dubnik (29th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 332 Georgia Outdoor Stewardship Act; enact

Bill Summary: House Bill 332 creates the Georgia Outdoor Stewardship Trust Fund and dedicates up to half of the sales and use tax collected on outdoor recreation equipment establishments to the fund; the bill sets the initial rate at 25 percent of all moneys received on outdoor recreation equipment establishments. An "outdoor recreation equipment establishment" is a place of business classified under the 2007 North American Industry Classification Code 451110. In the event that state sales and use tax revenue decreases by at least one percent from the preceding year, the amount credited to the trust fund shall be reduced by 20 percent. If revenues decrease by one percent in the subsequent year, the amount credited to the trust fund shall be reduced by 50 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 non-governmental entity to aid with the costs of conservation land or conservation easements. The Georgia Environmental Finance Authority will manage and administer the fund. On July 1, 2019, all funds in the Georgia Land Conservation Trust Fund and the Georgia Land Conservation Revolving Loan Fund shall be transferred to the Georgia Outdoor Stewardship Trust Fund.

HB 332 is the enabling legislation for HR 238.

Authored By: Rep. Sam Watson (172nd) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 344 Paternity; parties beyond movants in a child support case request a genetic test; allow

Bill Summary: HB 344 allows for either party involved in a child support order to move for genetic paternity testing. Moreover, the bill provides for a series of circumstances during which the Department of Human Services can deny a request for genetic testing in a case where there is an underlying child support order. The department may deny the request for paternity testing if: a paternity test was previously completed; the child has been adopted by one of the parties involved in the order; the child was conceived by means of artificial insemination; or the Department of Human Services has previously offered paternity testing and the requester refused the test.

Authored By: Rep. Katie Dempsey (13th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 374 Ad valorem tax; property; allow electronic filing of returns in certain cases

Bill Summary: House Bill 374 lowers the valuation requirement for an appeal of a property tax bill of a non-homestead property to be before a hearing officer with appeal to the superior court from a fair market value of \$750,000 to a fair market value of \$500,000. When hearing an appeal, the county board of equalization must notify the taxpayer whether there are any corrections or changes within 180 days.

In any county where the number of appeals exceeds three percent of the total number of parcels or the sum of the current assessed value of properties under appeal exceeds three percent of the gross tax digest of the county, the board of tax assessors may be granted an additional 180 days to decide an appeal and notify the taxpayer. When taking such an extension or an extension due to unforeseen circumstances, the board of tax assessors must notify each affected taxpayer at least 30 days prior to the expiration of the previous review period. The bill also allows for all documentation provided to the appeals administrator to be in either paper or electronic format. If the county board of tax assessors fails to respond to a taxpayer's notice of appeal within 180 days, the property valuation asserted by the taxpayer shall become the assessed fair market value for the property. The bill also allows for parties involved in an appeal hearing to agree to pay compensation exceeding the stated \$100 for the first hour and \$25 per hour thereafter.

Authored By: Rep. David Knight (130th) **Rule Applied:** Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 381 Abandoned Mobile Home Act; enact

Bill Summary: This bill creates the 'Abandoned Mobile Home Act' to provide counties and municipalities with the authority to appoint an agent to determine the condition of a mobile home and how to dispose of the property. The act establishes procedures for a landowner to follow if the landowner wishes to remove an abandoned mobile home from his or her property. A mobile home is deemed "abandoned" if tenants have left it vacant for 90 days without notice to the landowner and there is evidence of: a tenant's failure to pay rent or fees; removal of all personal belongings; cancelled insurance; termination of utility services to indicate that tenants are not using or occupying the mobile home; a risk to public health, safety, welfare or the environment; or other indications that the mobile home is vacant and no longer being used. In order to have the abandoned mobile home removed, the landowner must request that a local government agent inspect the mobile home, at

which time the agent will classify the mobile home as either "derelict" or "intact". That classification determines the disposition of the vehicle.

For "derelict" mobile homes, defined as uninhabitable and in need of major repair, the agent shall post a notice of such determination in an obvious location on the mobile home, and the landowner must serve notice of the agent's determination upon any person with an ownership interest. If no person with an ownership interest can be ascertained, the landowner must place an advertisement in a newspaper of general circulation in the county where the mobile home is located to run for two consecutive weeks; when no such newspaper exists, the landowner shall post the notice for two consecutive weeks at the county courthouse where other public notices are posted. Within 90 days of receipt of the notice, the mobile home owner must request a hearing in magistrate court to contest the determination, or after the expiration of the 90-day period, the landowner must petition a magistrate court to hold a hearing to confirm or deny the decision by the local government agent. The hearing must be held within 10 days of the petition. If the mobile home owner fails to request a hearing or if the determination is confirmed by the court, the landowner is entitled to dispose of the mobile home, although he or she must dispose of the mobile home within 180 days. Within 30 days of the disposal, the landowner must notify the Department of Revenue and local tag agent of the disposal and the department shall cancel the certificate of title, if such certificate exists.

For mobile homes classified as intact, the landowner shall have a lien in the amount of any unpaid fees and rents accrued after the filing of the lien, but the rent cannot exceed \$3.00 per day after the filing of the lien.

Any proceeding to foreclose on a lien against an intact abandoned mobile home shall be instituted within one year of the lien's recordation and filed in magistrate court of the county where the mobile home is located. The landowner desiring to foreclose on the lien shall make a demand on the persons with an ownership interest in the property or publish notice in a newspaper of general circulation for two consecutive weeks. If within 30 days a person with an ownership interest does not respond to the notice the landowner may move to foreclose the lien by submitting an affidavit to a magistrate court. The court must serve notice on people with an ownership interest in the property of their right to a hearing to determine if a valid debt exists. If the defendant fails to seek a hearing within 30 days or after a full hearing the court determines a valid debt exists, the court shall issue an order authorizing the public sale of the mobile home; however, any party with a security interest or a lien on the mobile home shall have the right to pay the debt and court costs to possess the mobile home, and the security interest or lien shall be increased by the amount paid. A court order shall be issued to this effect, and no public sale of the mobile home shall occur. After the lien is satisfied, the person selling the mobile home shall, within 30 days of the sale, provide the clerk of the magistrate court a copy of the bill of sale and turn the remaining proceeds of such sale, if any, over to the clerk of the court and those funds shall be placed in the general fund after 12 months if no claim to those proceeds by the mobile home owner has been filed. The court has the discretion to determine that a landowner has acted in bad faith and may award damages to the mobile home's owner.

Authored By: Rep. John Corbett (174th) **Rule Applied:** Modified-Open
Motions to Agree(*A motion to agree represents final passage of the bill.*)

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

Bill Summary: HB 410 amends the Code sections relating to fees for information required in a statement of account and statements of amounts owed to a condominium association, property owners' association, and all other planned subdivisions with 15 or more individual lots that are subject to covenants restricting land to certain uses and requiring mandatory assessment payments. The bill provides that these associations may no longer impose various fees or reserves on individuals who need to obtain disclosure documents necessary for real estate transactions to ensure clear title. The fee these associations may impose to respond to a request for a statement of amounts due is raised from \$10 to \$100, but that amount includes all administrative costs associated with preparing the statement. A statement must include: a copy of the current covenants and by-laws of the association; a statement of any encumbrances regarding the property; a copy of the association's certificate of insurance for any insurance provided; and other information needed to ensure clear title

for real estate transactions.

All fees and reserves due to an association will constitute a lien in favor of the association, unless the association fails to properly respond, in which case the buyer's responsibility to pay the lien and statement fees are extinguished. The association must respond within 10, rather than five, business days from receipt of the request for a statement of accounts due from a lot owner, lot owner's designee, mortgage lender, mortgagee of a lot or mortgagee's designee (requestor). If an association fails to properly respond within 10 business days, the association shall not charge the requestor for the statement and the lien is extinguished as to the buyer, but all properly reported liens are the responsibility of the buyer. Further, an association waives the right to collect any moneys owed in excess of the amounts specified in the statement from any person or person's successors who in good faith relies upon the statement of account. A statement of account is effective for 30 days from the date of issuance if hand delivered or sent by electronic means, or 35 days if sent by regular mail or overnight delivery. If the requestor would like an expedited statement made and delivered within three business days of the request, the association may impose an additional \$50 expedited fee and may charge an additional \$25 fee for reprinting.

Authored By: Rep. Alan Powell (32nd) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 419 Fireworks; certain counties further regulate use or ignition; enable authority

Bill Summary: HB 419 expands the ability for local governments to regulate the ignition of fireworks through local noise ordinances. The bill adds Memorial Day weekend and Labor Day as holidays when local ordinance cannot prevent fireworks from being ignited; however, when areas of the state come under drought conditions, the governor can restrict the use of fireworks. Also, all dealers of fireworks must post the license authorizing the dealer to sell fireworks.

Authored By: Rep. Deborah Silcox (52nd) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 448 Nonpublic Postsecondary Education Commission; require certain postsecondary institutions to qualify for exemptions; provisions

Bill Summary: HB 448 enables the Nonpublic Postsecondary Education Commission (NPEC) to create policies to exempt education and postsecondary education institutions. This bill also exempts non-public law schools accredited by the American Bar Association when NPEC is designated as the recipient of complaints as a prerequisite for the non-public law school's acceptance of federal student financial aid. This bill also changes the composition of NPEC's board from 15 members to 10 members. Lastly, HB 448 changes the composition of the Board of Trustees of the Tuition Guaranty Trust Fund to include at least two members of postsecondary institutions rather than one member representing a non-degree granting postsecondary institution and one member representing a degree granting postsecondary institution.

Authored By: Rep. Chuck Williams (119th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 475 Charitable solicitations; use of collection receptacles for donations; implement additional requirements

Bill Summary: HB 475 amends Code sections relating to charitable solicitations to specifically provide regulations and penalties for the operation of "collection receptacles", which are unattended containers for collecting non-monetary donations such as clothing, personal and household items, or books.

The bill requires the operator of any collection receptacle to obtain notarized, written permission from all owners or leaseholders of the property on which the operator wishes to place the collection receptacle. The operator is to maintain copies of the notarized, written permission and provide copies to the owners or leaseholders upon request. Once the operator has received permission to place and

operate a receptacle, the operator shall notify any leaseholders, tenants, or other occupants about the collection receptacle's placement and operation. If the operator fails to obtain permission, any owner or leaseholder may demand immediate removal of the collection receptacle.

The bill further requires the operator to maintain the collection receptacle in a structurally sound, clean, and sanitary condition. The receptacle shall be regularly emptied at least every two weeks and the operator shall be responsible for ensuring that no donations are present on the ground surrounding the receptacle for more than 48 hours.

The bill provides the procedure for removing the collection receptacle. Any owner or leaseholder of property on which a collection receptacle is permissibly placed may demand its removal in writing by mail, return receipt requested, or overnight delivery to the address listed on the receptacle. The property owner or leaseholder shall also send a copy of the demand to the office of the Secretary of State. The operator of the collection receptacle shall remove the receptacle, as well as all content left in and around it, within 30 days of the mailing or receipt by overnight delivery. If the operator fails to remove the receptacle, any owner or leaseholder shall have the immediate right to take possession, remove, and dispose of the receptacle and its contents. The owner or leaseholder may also request law enforcement personnel to take possession, remove, and dispose of the collection receptacle and its contents. Any expenses incurred in the removal and disposal shall be paid by the operator; if the owner or leaseholder incurs expenses for removing and disposing of the receptacle following the 30-day notice, a civil action may be brought to recover actual damages.

Any local governing authority with collection receptacles located within its geographical boundaries is authorized to issue written notices of violations. The bill allows the Secretary of State to impose a fine for any willful violation of the regulations controlling charitable solicitations of up to \$2,500 for a single violation or \$5,000 for multiple violations in a single or a series of proceedings.

Authored By: Rep. Buddy Harden (148th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 489 Local government; use Georgia Procurement Registry in addition to official legal organ to advertise certain bid opportunities; provide

Bill Summary: House Bill 489 requires the use of the Georgia Procurement Registry for advertisement of bid opportunities for goods and services and public works construction contracts by a county, city, or local board of education.

Authored By: Rep. Tom McCall (33rd) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

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 a required 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) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 657 Firearms; providing to person on probation as a felony first offender; make unlawful

Bill Summary: House Bill 657 penalizes any person attempting or intentionally aiding an attempt to persuade a dealer to transfer a firearm to someone other than the buyer with imprisonment of not less than one nor more than five years. The legislation also provides the same penalty of imprisonment for at least one year but not more than five years for knowingly providing a firearm to any person who is on probation as a felony first offender or to anyone who has been convicted of a felony by any court of this, or any other, state. Upon a second or subsequent conviction that person shall be punished by imprisonment for not less than five nor more than ten years.

Authored By: Rep. Jesse Petrea (166th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 658 Excise tax; rooms, lodgings, and accommodations; remove sunset date for the time during which a certain tax may be collected

Bill Summary: House Bill 658 extends the sunset date to December 31, 2053 for the eight percent hotel/motel tax allowed in a county where a coliseum and exhibit hall authority were created on January 1, 1991.

Authored By: Rep. Earl Ehrhart (36th) **Rule Applied:** Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 673 Motor vehicles; prohibit actions which distract a driver while operating a motor vehicle; provisions

Bill Summary: HB 673 is the 'Hands-Free Georgia Act'. This bill prohibits an individual from physically holding or supporting a wireless telecommunication device or a stand-alone electronic device or reaching for devices in such a way that the driver is no longer seated in a driving position while operating a motor vehicle. The prohibition does not apply to: voice to text communications; the use of devices for the purpose of navigation with a GPS system; and dash camera video recording devices that record the front and rear of the vehicle.

Violating this provision is punished as a misdemeanor with a fine of \$50 for the first offense, \$100 for the second, and \$150 for all subsequent offenses. Moreover, a 2-point deduction on the offender's driver's license is assessed on the first violation of this statute. A second offense results in a 3-point assessment, a third violation results in a 4-point assessment, and the fourth and subsequent violation results in a 6-point assessment.

The prohibited conduct shall not apply while reporting a traffic accident, an emergency situation, or a hazardous road condition. Moreover, the prohibited conduct shall not apply to a utility service provider operating within the scope of their employment, or law enforcement and first responders, or if the vehicle is lawfully parked.

In addition, on the first offense of distracted driving, an offender can present a hands-free device to the court and be waived of fines and point deductions.

Authored By: Rep. John Carson (46th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 695 Special license plates; Georgia Forestry Foundation; establish

Bill Summary: House Bill 695 authorizes the commissioner of the Department of Revenue to grant a waiver so that regular Georgia license plates may be issued for government vehicles if it is determined that it is in the best interest of public safety, public welfare, or efficient administration.

Additionally, this bill 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.

Finally, HB 695 clarifies that funds raised by the sale of the special license plate for the dog and cat reproductive sterilization support program of the Department of Agriculture (DOA) shall be disbursed to the DOA and deposited in a special fund for support of the dog and cat reproductive sterilization support program and not to the State General Fund.

Authored By: Rep. James Epps (144th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

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 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.

To receive the exemption, beginning after July 1, 2018, a high-technology data center must create 20 new quality jobs, quality jobs having the same meaning under subsection (a) of 48-7-40.17. If the county population in which the data center is located exceeds 50,000, the data center must plan to spend \$250 million over 10 years to be eligible for the exemption. If the county population in which the data center is located exceeds 30,000 but is not greater than 50,000, the data center must plan to spend \$150 million over 10 years to be eligible for the exemption. If the county population in which the data center is located is less than 30,000, the data center must plan to spend \$100 million over 10 years to be eligible for the exemption.

High-technology data centers utilizing the exemption must submit an annual report to the commissioner of the Department of Revenue for the commissioner to determine if the high-technology data center is in compliance with the minimum investment threshold. If the commissioner determines the high-technology data center failed to meet its minimum investment threshold, then the data center will be required to repay all taxes exempted. At any time, however, the commissioner can revoke a data center's exemption if he or she believes the data center is not likely to meet the minimum investment threshold. The commissioner, at his or her discretion, may also require a good faith and valid bond with a surety company to do business in this state, in an amount not to exceed \$20 million. The commissioner shall also require annual reporting by high-technology data centers to determine the amount of taxes exempted, number of quality jobs created, payroll of data centers' resulting from construction, maintenance and operation. The commissioner shall report his or her findings to the House Ways and Means Committee. This exemption expires June 30, 2028.

Authored By: Rep. Trey Kelley (16th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

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

Bill Summary: House Bill 699 amends the Code relating to firefighter training so that any training received and documented as a member of the United States Armed Forces, the United States Coast Guard, the Georgia National Guard, or the Georgia Air National Guard may be satisfactory for obtaining certification for completion of the required basic firefighter training. This bill also allows the council to waive the requirement that a firefighter under this Code section is required to have a high school diploma or equivalent within 12 months of employment.

Authored By: Rep. D. C. Belton (112th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 703 Governor's Office of Public Safety Support; create

Bill Summary: House Bill 703 creates the Office of Public Safety Officer Support within the Department of Public Safety. The office is established to provide peer counseling services and other critical incident support services to all requesting public entities that employ public safety officers. Counseling extends to the immediate family of the public safety officers, as well. The office is responsible for creating training courses in critical incident stress management and any other related subject matter for the benefit of the public safety officers. The director, appointed by the governor, certifies individuals as having received training and demonstrated ability to provide emotional and moral support to public safety officers and their families. "Public safety officer" is defined in the bill to include: peace officer, correctional officer, emergency health worker, firefighter, highway emergency response operator, jail officer, juvenile correctional officer probation officer, or emergency services dispatcher.

Authored By: Rep. Bill Hitchens (161st) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 713 Postsecondary education; HOPE and Zell Miller eligibility requirements relative to students who graduated from an ineligible high school; provide

Bill Summary: HB 713 reduces the eligibility threshold for the Zell Miller Scholarship on the ACT and the combined reading and math of a single administration of the SAT from the 93rd percentile to the 91st percentile for home-schooled students.

Authored By: Rep. Joyce Chandler (105th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 721 Motor vehicles; criteria by which the Department of Driver Services shall authorize licensed driver training schools to administer on-the-road driving skills testing; revise

Bill Summary: House Bill 721 clarifies that only third party drivers' testing centers which are certified by the Department of Driver Services (DDS) may test for a driver's license. Further, only those driving centers licensed by DDS for at least two years may perform road and written testing on its behalf.

The bill increases the Joshua's Law surcharge from 1.5 percent to 3 percent.

Authored By: Rep. Alan Powell (32nd) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 729 Ad valorem tax; property; repeal certain provisions

Bill Summary: House Bill 729 repeals 48-5-8, relating to the reduction of the state property tax through the years of 2011 to 2016. The bill also states that intangible transfer tax shall only be due on a portion of a mortgage or other instrument which is greater than the indebtedness secured by a previous mortgage or other instrument.

Authored By: Rep. Brett Harrell (106th) **Rule Applied:** Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

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

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

Authored By: Rep. Randy Nix (69th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 751 Georgia Emergency Communications Authority Act; enact

Bill Summary: House Bill 751 establishes the Georgia Emergency Communications Authority with the primary purpose to administer, collect, audit, and remit 9-1-1 revenues for the benefit of local governments.

Authored By: Rep. Alan Powell (32nd) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 760 Insurance; certain policies, definitions, and property insurance; revise

Bill Summary: House Bill 760 allows property and causality insurers, at the time of policy renewal, to simply notify the insured of reduction of coverage in the policy without having to cancel the existing policy and offer a new one.

Authored By: Rep. Eddie Lumsden (12th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 761 Motor vehicles; filing of certificates of title by dealers; provide

Bill Summary: House Bill 761 allows the electronic application for a certificate of title from the Department of Revenue to be voluntary rather than mandatory. In addition, it allows for those who buy a car in a county other than where they reside to apply for a title in the county where the car dealer is located. Finally, HB 761 allows vehicle dealers who sell no more than 10 vehicles to file for a waiver from electronic filing.

Authored By: Rep. Jason Ridley (6th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

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

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

This legislation also revises O.C.G.A. 20-2-1185, which requires every public and private school to prepare a school safety plan and conduct drills with students, teachers, and other personnel based on the safety plans to help curb the growing incidence of violence in schools. HB 763 also provides methods for public schools to request funding assistance for school security upgrades, including, but not limited to: video surveillance cameras, metal detectors, alarms, communications systems, building access controls, and other similar security devices.

Authored By: Rep. Randy Nix (69th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 779 Emergency management; homeland security division; provisions

Bill Summary: House Bill 779 defines "emergency operations command" as the unified command group responsible for coordinating the public safety response to natural disasters, homeland security activities, and other emergencies within this state. Emergency operations command is comprised of: the director of emergency management and homeland security; the director of the Georgia Bureau of Investigation; the commissioner of public safety; the commissioner of natural resources; the commissioner of transportation; and the adjutant general. The bill gives authority relevant to imminent or current terrorist activity within the state for leading the actions of the Homeland Security Task Force and the Emergency Operations Command. The director of emergency management and homeland security will also serve as the state's security manager for the purpose of identifying state

personnel for security clearances through the U.S. Department of Homeland Security. Further, the bill establishes in Code that the Georgia Information Sharing Analysis Center is a distinct division within the GBI. The bill allows the director of emergency management and homeland security to maintain GEMA analysts in the fusion center as determined by the director. The focus of these analysts will be homeland security.

This legislation also creates the Board of Homeland Security which is composed of 16 members. This board will be responsible for: advising the governor on the implementation of homeland security strategy by state and local agencies; providing guidance; developing a statewide homeland security strategy; and coordinating activities among and between local, state, and federal agencies.

Authored By: Rep. Alan Powell (32nd) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 780 Banking and finance; changes to provisions applicable to financial institutions; provide

Bill Summary: This bill allows banks and credit unions to exercise any banking or corporate power, right, benefit, privilege, or immunity of a national bank or federal credit union ("federal power") or avail themselves of any federal preclusion or preemption during the same period of time that a national bank or federal credit union is authorized to do so.

Banks and credit unions intending to exercise federal powers must give notice of the proposed action to the commissioner of Banking and Finance. The commissioner shall determine whether the exercise of federal power is appropriate and must consider the institution's financial condition, regulatory safety and soundness, as well as other things. Based on the determination, the commissioner may object and must deliver notice of objection within 45 days of receipt of notice from the bank or credit union. The commissioner may extend notice by 45 days by mail. If the commissioner objects, the bank or credit union may not exercise federal power, preclusion or preemption, but the institution is not prevented from providing a future notice.

The bank or credit union shall also notify the commissioner by mail if it no longer wishes to exercise a federal power or avail itself of any federal preclusion or preemption. The department must publish a list of each bank and credit union exercising a federal power or availing itself of any federal preclusion or preemption. The bill also clarifies that these powers are independent from and in addition to other powers contained in the Code and in no way limit the authority of the commissioner's other powers granted to banks and credit unions in the Code. Further, the bill caps interest rates for loans of \$3,000 or less at no greater than 16 percent per year and for loans between \$3,000 and \$250,000 at no greater than five percent per month. Loans equal to or greater than \$250,000 have no interest rate cap. Additionally, banks and credit unions are required to adhere to payday lending practices.

Additionally, the bill removes language requiring a 2/3rds affirmative vote of the shares entitled to vote for a bank or trust company to acquire issued shares of its own common stock. It replaces other provisions requiring a 2/3rds vote with a majority vote, unless the articles or by-laws require it.

Credit unions are permitted to purchase life insurance on any person whose death might cause financial loss to the credit union (i.e., directors, officers, and like personnel). A provision is also added that prevents oaths taken by board members and officers of banks and credit unions from modifying legal duties or standards of care. The board may now appoint an honorary director who may be paid, but the director may not: vote at any meeting; be counted in determining a quorum; or be subject to liability as a director.

A licensee must notify the department in writing of any change of executive officer and initiate a criminal background within 10 days of the effective date of the change. This addition is duplicated for the cashing of financial instruments.

Authored By: Rep. Bruce Williamson (115th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

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.

Authored By: Rep. Randy Nix (69th) **Rule Applied:** Modified-Open
Motions to Agree(*A motion to agree represents final passage of the bill.*)

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

Bill Summary: House Bill 787 amends O.C.G.A. 20-2-270 to include state charter schools, in addition to local school systems, as recipients of services provided by regional education service agencies (RESAs).

State charter schools currently receive a supplement, in addition to state funds, to account for the lack of local funding and HB 787 revises the local funding supplement for state chartered special schools. State chartered special schools will receive the statewide average amount of total revenues less federal and state revenues, other than equalization grants; however, if state chartered special schools draw students from the attendance zone of local school systems and those school systems have a local supplement less than the statewide average, the local supplement for the state chartered special school will be determined by the greater of: the average local supplement for the local school systems for which the state chartered special school draws students; or the average local supplement of the lowest five school systems in the state.

This legislation also provides a mechanism for "forward funding" charter schools to cover the cost of exceptional enrollment growth.

HB 787 creates O.C.G.A. 20-2-2075, which authorizes the State Board of Education to establish a grant program for the purposes of replicating high-performing charter schools. Grants are subject to appropriations and shall be primarily for charter schools in rural areas, charter schools that primarily serve students with special needs, and charter schools that serve educationally disadvantaged students.

The bill requires the Department of Audits and Accounts to provide an annual report on certain charter schools to the State Board of Education, the governor, the speaker of the House of Representatives, and the lieutenant governor by December 1 of each year.

HB 787 also creates a needs-based financial aid program for economically disadvantaged students to attend an institution of the university system.

Authored By: Rep. Scott Hilton (95th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

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), administrative law judges (ALJ), and agency rulemaking.

The bill exempts the Board of Regents from the agency rulemaking process. Regarding ALJs, 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, between \$100 to \$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 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 when the determination by the ALJ is against the agency, the decision is an advisory opinion with the ultimate decision and reviewing authority remaining with the executory agency.

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

Authored By: Rep. Chuck Efstoration (104th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

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

Bill Summary: House Bill 792 extends the sunset provisions for the Solid Waste Trust Fund and the Hazardous Waste Trust Fund to July 1, 2019.

The bill also changes the minimum surcharge collected by the host local government from \$1.00 to \$2.50 per ton of waste accepted by a privately-owned municipal solid waste disposal facility with the exception of fly ash, bottom ash, boiler slag, or flue gas desulfurization materials generated from burning coal for the purpose of generating electricity for which the local government is required to impose a surcharge of \$1.00 per ton until June 30, 2025 and \$2.00 thereafter. For construction, demolition or inert waste, the local government is required to impose a surcharge of \$1.00 per ton. The bill requires local governments to utilize at least 50 percent of surcharges collected for efforts that offset the impact of the facility and other related activities. Local governments may negotiate for and obtain by contract surcharges higher than those set forth in this bill.

Authored By: Rep. Terry Rogers (10th) **Rule Applied:** Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 795 Labor, Department of; authorize Commissioner of Labor to perform certain functions; provisions

Bill Summary: House Bill 795 provides the commissioner of Labor with authority to require a criminal background check on any individual employed by the Department of Labor or applying for employment with the Department of Labor on or after January 1, 2019. A criminal background check is required for any individual with direct access to federal return information as part of his or her job duties. This is necessary to be compliant with federal law.

Additionally, SB 795 eliminates the positions of director emeritus and administrative law judge emeritus of the State Board of Worker's Compensation. The bill is effective July 1, 2018 and as those positions are vacated. It also requires the Board of Worker's Compensation to abide by the 'Administrative Procedures Act'.

Authored By: Rep. Micah Gravley (67th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

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 purposes 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 2.6 percent 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. Municipal corporations meeting this description are also exempted from the requirements placed on municipal authorities for notification of millage rate changes in subsections (c) and (e) of O.C.G.A. 48-5-32.1.

Authored By: Rep. Beth Beskin (54th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

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. 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 (i.e., 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 only applies to rental or lease agreements entered into, renewed, modified, or extended on or after July 1, 2018.

Additionally, the bill amends Code sections related 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. If the tenant vacates or surrenders without notifying the landlord, the landlord is not required to inspect and compile a list within three days and must only do so within a reasonable time, not to exceed seven days after discovery of a vacancy.

Upon request, the tenant shall have the right to inspect the premises and the landlord's list of damages within five days after termination of the lease and vacation of the premises or the surrender and acceptance of the premises and the inspection by the landlord. If the tenant was present for the landlord's inspection and signed the final list or failed to dissent in accordance with the procedures outlined elsewhere in the Code, the tenant may not recover the security deposit or any other damages. If the tenant was not present for the landlord's inspection or did not independently inspect the premises and in either case did not request a final damage list, the tenant may dispute the damages assessed by the landlord. The bill also clarifies that the landlord must provide a comprehensive list of damages to the tenant when the landlord retains the tenant's security deposit and the landlord forfeits his right to retain the security deposit if he or she fails to do so.

Finally, if a court issues an order of temporary relief ex parte, the order will be in effect until the court issues an order dismissing the previous order or until a hearing occurs. Within 10 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; 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) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

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 by his or her legal guardian pursuant to a physician's order cannot be charged tuition or fees.

Authored By: Rep. Katie Dempsey (13th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 871 Sales and use tax; 50 percent of the sales price of manufactured homes; create exemption

Bill Summary: House Bill 871 amends 48-8-3, relating to exemptions from state sales and use taxes, by adding a state sales tax exemption for 50 percent of the sale price of a manufactured home that will be converted to real property. A "manufactured home" is defined as a structure: built on a permanent chassis; designed to be used as a residence; transports in one or more sections; contains plumbing, heating, air-conditioning, and electrical systems; designed with an angled roof; and has an area of greater than 650 square feet. Within 30 days of purchase, the manufactured home must be permanently located on a property and at no point can the manufactured home be moved to another property. If the manufactured home is not permanently located on a property within 30 days, the commissioner shall recover 1.5 times the amount exempted.

Authored By: Rep. Dominic LaRiccica (169th) **Rule Applied:** Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 878 Insurance; cancellation of an insurance policy by an insured; change certain provisions

Bill Summary: House Bill 878 allows insurers and/or insurance agencies to let their insureds cancel their policy over the telephone.

Authored By: Rep. Heath Clark (147th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

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 specifies that the post mark date shall be utilized when considering application deadlines and provides a time limit of 180 days from receipt of the application for a county board of tax assessors to deny an application. It 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) **Rule Applied:** Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 898 Motor vehicles; fleet vehicles and fleet vehicle registration plans; revise provisions

Bill Summary: House Bill 898 updates the law as it relates to the registration of a vehicle fleet to comply with the Department of Revenue's new electronic registration system. Further, it reduces the number of vehicles that constitutes a fleet from 1,000 to 100 vehicles.

In addition, the bill allows a plate for all firefighters.

Further, it provides that in the event a firefighter is terminated for cause, they have 14 days to return the plate to the county tag office from which it was obtained.

Authored By: Rep. Alan Powell (32nd) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 917 Crimes and offenses; restitution; update terminology and change provisions

Bill Summary: HB 917 adds memory cards, flash drives, hard drives, and data story devices to the list of media protected by copyright restrictions.

Authored By: Rep. Matt Dollar (45th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

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.

Authored By: Rep. Katie Dempsey (13th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

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 an institution 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 and approved by a majority vote of the Georgia Rural Development Council. The CRPI shall assume the business and responsibilities of the Centers of Innovation Agribusiness previously administered by the Department of Economic Development.

The bill repeals the Georgia Rural Development Council (RDC) in O.C.G.A. 50-8-150 and reconstitutes it within the CRPI to offer guidance for the center's activities. The RDC shall be composed of 12 members appointed as follows: six 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 different locations 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 a 10-year strategic plan that outlines the use of the CRPI's resources for the upcoming fiscal year and submit it to the standing committees on agriculture and economic development of the House of Representatives and the Senate. 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.

Authored By: Rep. Jason Shaw (176th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 956 Georgia Veterinary Practice Act; enact

Bill Summary: HB 956 makes changes relating to the practices of veterinarians and veterinary technicians. The bill will allow the State Board of Veterinary Medicine to perform inspections of premises and equipment. It creates a continuing education requirement for veterinary technicians, as well as a waiver of these requirements for veterinarians or veterinary technicians who are active duty in any branch of the United States armed services. Additionally, the bill eliminates a limit on the number of veterinary technicians who can work under a licensed veterinarian. HB 956 also brings state law in line with federal law regarding the veterinary feed directive.

HB 956 would also require veterinarians to disclose to an physician an animal's rabies vaccination history if the animal bitten an individual. Furthermore, the bill requires a law enforcement officer to consult with a veterinarian employed by the Department of Agriculture or approved by the Department of Agriculture's commissioner prior to filing criminal charges related to animal husbandry of food animals. The bill defines "food animal" as any animal raised for the production of edible products intended for human consumption.

Authored By: Rep. Clay Pirkle (155th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 973 Ethics in government; lobbyists shall acknowledge and agree to abide by sexual harassment policy of General Assembly; provisions

Bill Summary: HB 973 requires a lobbyist to sign a statement of receipt, understanding and agreement to abide by the Georgia General Assembly Employee Sexual Harassment Policy as set forth in the Georgia General Assembly Handbook at time of registration. A violation of the policy can result in the suspension or revocation of the lobbyist's registration and a fine up to \$1,000.

Authored By: Rep. Jan Jones (47th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 978 Motor vehicles; automated traffic enforcement safety devices in school zones; provisions

Bill Summary: House Bill 978 amends the Code relating to school buses to make it lawful for drivers who meet or pass school buses on a highway with separate roadways or a divided highway, including but not limited to, a highway divided by a turn lane. The bill also allows for the use cameras on school buses to be operated, maintained, or leased to a law enforcement agency and for the recorded images to be reviewed by the agent who provides this service to law enforcement. The bill provides that monetary civil fines paid for violations be \$250. A person who receives a citation in the mail has 30 business days from the mailing to inspect the information collected by the recording device and may request a court date or pay the fine. Should the person fail to appear or pay the fine, notice will be sent to the registered owner of the vehicle, as well as notice that the Department of Revenue will be notified. If within 30 days the fine is still outstanding, the motor vehicle registration will not be renewed and any title transfer within this state will be prohibited.

The bill further allows for placement of an automatic traffic enforcement device within a school zone after the school has applied for a permit from the Department of Transportation for the use of such device. Any school zone with automatic traffic enforcement devices is required to erect signs warning of stationary speed detection devices within the approaching school zone. The bill allows for the speed limit posted within a school zone pursuant to Code to be enforced by using photographically recorded images for violations during school hours, one hour before, and one hour after classes are scheduled when violations are in excess of 10 miles per hour over the speed limit. The owner of the motor vehicle in violation is liable for the monetary penalty to the governing body of the law enforcement agency in the amount of \$75 for a first violation, \$125 for a second or any subsequent violation, in addition to processing fees not to exceed \$25.

For the first 30 days of operation, the driver is simply given a civil warning for disregarding the speed limit within the school zone. The money collected and remitted to the governing body is required to

fund local law enforcement or public safety initiatives.

Authored By: Rep. Chad Nimmer (178th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 982 Courts; relative searches conducted by DFCS; change provisions

Bill Summary: HB 982 clarifies and streamlines dependency proceedings regarding children in foster care. If the court finds within six months of the removal of such a child from his or her home that diligent search efforts by the Division of Family and Children Services (DFCS) have not resulted in the identification of relatives or fictive kin who are willing to provide a permanent home for the child, and the child is living with a foster parent in a stable home environment where removal from that home would be detrimental to the child's well-being, the court may excuse DFCS from continuing a search for relatives or fictive kin. Moreover, when a child has been in foster care for a cumulative period of 12 months and the parent has substantially neglected or willfully refused to remedy the situation, the court shall order DFCS to file a petition to terminate the parental rights of said parent and concurrently identify and approve a qualified family for adoption. In addition, if a petition to terminate parental rights has been filed by another party, DCFS shall seek to be joined as a party to the proceedings.

Authored By: Rep. Chad Nimmer (178th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

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 monthly salaries, expenses, and allowances of superior court judges, not to be less than: \$450 for Bacon County; \$550 for Brantley County; \$450 for Charlton County; \$700 for Coffee County; \$550 for Pierce County; and \$700 for Ware County. This act is effective January 1, 2019.

Authored By: Rep. Chad Nimmer (178th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 995 Local government; certain disclosures from consultants who enter into contracts to prepare requirements for bids; provide

Bill Summary: House Bill 995 provides a process for a consultant to disclose any conflicts of interest when contracting for services with a local governing authority.

Authored By: Rep. Mark Newton (123rd) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

HR 51 Forest land fair market value; prescribed methodology; remove - CA

Bill Summary: House Resolution 51 amends the constitution, where it relates to the forest land conservation use property, by allowing properties of at least 200 acres in aggregate which lie in one or more counties provided that the forest land is in parcels of at least 100 acres within any given county and changing the covenant length from 15 to 10 years. In 2019, 2020, 2021, 2022, and 2023 the resolution also allows the value of assistance grants given to counties to be increased by general law beyond the amount of revenue needed to offset revenue losses from forest land being included in the conservation use. The 2008 base year used for determining the forest land fair market value is removed and replaced with a 2016 base year. The base year will change in 2019 and every three years thereafter. The General Assembly may provide for a fee, not to exceed five percent to be deducted from assistance grants and retained by the state revenue commissioner to offset the costs to administer the program.

The resolution also establishes a new class of property to be known as "qualified timberland property". Qualified timberland property is defined as tangible real property that has as its primary

use the production of trees for the primary purpose of producing timber for commercial uses. The value of qualified timberland property shall be at least 175 percent of such property's forest land conservation use value. The only purposes of the qualified timberland property class of property are to allow the department of Revenue to appraise the properties and to allow for a separate system to appeal appraisals and determinations made related to qualified timberland property.

Authored By: Rep. Jay Powell (171st) **Rule Applied:** Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

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

Bill Summary: House Resolution 238 provides a ballot question to amend the Georgia Constitution to allow the General Assembly, by general law, to provide up to 80 percent of all revenue received from the state's portion of the sales and use tax of goods and services sold in sporting goods stores to the Georgia Outdoor Stewardship Trust Fund. The general law pertaining to this resolution must contain a sunset of no more than 10 years and may not be extended for more than 10 years at any time. The Georgia Outdoor Stewardship Trust Fund has the purpose of protecting and preserving conservation land.

Authored By: Rep. Sam Watson (172nd) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

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;

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;

Senate Resolution 885, Sen. Brandon Beach
SR 885 dedicates the bridge on State Route 36 over the Flint River in Upson County as the Carey

Ellerbe Memorial Bridge;

Senate Resolution 906, Sen. Tonya Anderson
SR 906 dedicates the interchange at Interstate 20 and Exit 78/Sigman Road in Rockdale County as the Walk of Heroes/Veterans Interchange;

Senate Resolution 923, Sen. Jeff Mullis
SR 923 dedicates the intersection of McFarland Road and Jenkins Road in Walker County as the Jasper W. "JW" Dodd, Jr., Memorial Intersection;

Senate Resolution 924, Sen. Jeff Mullis
SR 924 dedicates the intersection of Happy Valley Road and Battlefield Parkway in Walker County as the Ben Napier Memorial Intersection;

Senate Resolution 925, Sen. Jeff Mullis
SR 925 dedicates the intersection of Highway 193 and Happy Valley Road in Walker County as the William Calvert "Coach" Sandberg Memorial Intersection; and

Senate Resolution 942, Sen. Gail Davenport
SR 942 dedicates the bridge on McDonough Road at the Norfolk Southern Railroad in Clayton County as the Annie Lois Freeman Souder Bridge.

The resolution also repeals two previous dedications. The first is the Sergeant David Paul "Bubba" Land Memorial Intersection adopted in Part II of HR 1052 (2016). The second is the Samuel L. and LaTanya Jackson Highway adopted in Part III of SR 204 (2017).

Authored By: Rep. Tom McCall (33rd) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

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, but does not preclude a superior court from creating a business court division for its circuit. The provisions of the amendment would be effective within 24 months after having been voted on and approved by a public referendum as provided by law. 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 concurrent jurisdiction with the superior court over equity cases. A superior court by agreement of the parties may order removal of a case to the state-wide business court as provided by law. Business court judges will be appointed by the Governor to a five-year term, subject to approval by a majority vote of the Senate Judiciary Committee and a majority vote of the House Committee on Judiciary, and may be reappointed at the end of their term. Initial terms can be provided for by general legislation. Business court judges shall have such qualifications as provided by law. Vacancies in the state-wide business court shall be filled by appointment of the Governor, subject to approval by a majority vote of the Senate Judiciary Committee and a majority vote of the House Committee on Judiciary.

Authored By: Rep. Chuck Efstrotation (104th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HR 1103 Property; conveyance of certain state owned real property; authorize

Bill Summary: HR 1103 is a conveyance resolution for properties located in 12 counties, conveying property owned by the State of Georgia or amending those conveyances, as follows:

Article 1 conveys approximately .468 of an acre, a portion of an approximately 7.29-acre tract known as the Milledgeville Readiness Center in Baldwin County under the custody of the Georgia

Department of Defense, to the Georgia Department of Transportation for a consideration of \$35,219 and approximately \$28,087 in paving costs and costs to cure for widening and improvements of State Routes 29 and 49.

Article 2 conveys approximately one acre, known as the Bryan County Unit under the custody of the Georgia Forestry Commission, by competitive bid for fair market value or to a local government or state entity for a consideration of \$10, so long as the property is used for public use.

Article 3 conveys approximately .048 of an acre, a portion of an approximately 10.32-acre tract known as the Savannah State Farmers Market in Chatham County, under the custody of the Georgia Department of Agriculture, to the Georgia Department of Transportation for a consideration rounded to \$8,700 of \$8,160 for fee simple acquisition and approximately \$462 in paving costs for widening State Routes 25, 26, and 204.

Article 4, in Cherokee County, is a ground lease for up to 20 years for a new building to be bid for design and construction, on approximately five acres under the custody of the Department of Human Services to accommodate the growing needs of the Division of Family and Children Services and Division of Child Support Services in Cherokee County.

Article 5 conveys approximately 4.5 acres described as the former Albany Armory in Dougherty County under the custody of the Georgia Department of Defense, to Dougherty County or to a local government or state entity, for a consideration of \$10, so long as the property is used for public purpose in perpetuity and the payment of outstanding general obligation bonds and interest, or for fair market value and other provisions the State Properties Commission determines to be in the best interest of the State of Georgia.

Article 6 conveys to the City of Albany in Dougherty County for an exchange approximately .46 of an acre, a portion of the 24.5-acre Albany Technical College campus under the custody of the Technical College System of Georgia, for 1.78 acres from the City of Albany and other provisions the State Properties Commission determines to be in the best interest of the State of Georgia.

Article 7 conveys approximately eight acres, a portion of the Georgia World Congress Center campus in Fulton County under the custody of the Department of Economic Development and managed by the Geo. L. Smith II Georgia World Congress Center Authority to that authority for a consideration of \$10 and other provisions the State Properties Commission determines to be in the best interest of the State of Georgia.

Article 8 is a ground lease of approximately 1.22 acres in Fulton County, a non-railroad operations portion of the Western and Atlantic Railroad under the custody of the State Properties Commission, to Metro Green, LLC and John D. Stephens, for a term of 20 years commencing on January 1, 2020, for consideration of an initial annual rent of \$7,628.70, to be increased annually at a compounded rate of 2.5 percent.

Article 9 conveys approximately 13.36 acres of the 87-acre Hall County Campus of Lanier Technical College, under the custody of the Technical College System of Georgia, to the City of Gainesville for the consideration of \$10.00 for a right-of-way dedication for use as a public road.

Article 10 leases 2.664 improved acres known as Building 4, a portion of Rutledge State Prison in the custody of the Georgia Department of Corrections, to either the Muscogee County Sheriff or to Columbus, Georgia, the Consolidated Government of Columbus-Muscogee County, for a term of five years commencing on January 1, 2020, with a five-year renewal option, for consideration of that sheriff's department being responsible for all utilities, maintenance and repair of the building and the Department of Corrections remaining responsible for capital maintenance and repairs.

Article 11 is a three-year lease with one five-year renewal for approximately 20,812 square feet, a portion of the QuickStart Building CTC Training Center at Columbus Technical College in Muscogee County which is in the custody of the Technical College System of Georgia, to United Technologies Corporation, Pratt & Whitney Division for the consideration of Pratt & Whitney's investment of

approximately \$2,000,000 in improvements and equipment to the QuickStart facility which will be left at the end of the lease for the benefit of the school.

Article 12 conveys approximately 13.806 acres known as I.W. Davis Probation Detention Center under the custody of the Georgia Department of Corrections, to Jackson County for the consideration of \$10 so long as the property is used for public purpose; or by competitive bid for fair market value; or to a local government or State entity for fair market value; or to a local government or State entity for a consideration of \$10 so long as the property is used for public purpose; and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

Article 13 conveys approximately 15 acres of air rights and approximately 5 acres in fee simple under the custody of the State Properties Commission and custody of the Department of Economic Development. The above described real property interests specifically exclude the State's fee simple ownership of any and all parcels associated with the Western and Atlantic Railroad measuring approximately 66 feet in width and 23 feet in height as improved with railroad tracks, appurtenances, depots, sheds, buildings, bridges, sidings, spurs, a wye as described in the amended lease dated January 1, 1986 by and between the State of Georgia and CSXT, Inc., by competitive bid for fair market value and other considerations and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

Article 14 conveys approximately .157 of an acre, a portion of the Putnam County Unit under the custody of the Georgia Forestry Commission, by competitive bid for fair market value or to a local government or state entity for a consideration of \$10, so long as the property is used for public purpose in perpetuity, as well as other provisions the State Properties Commission determines to be in the best interest of the State of Georgia.

Article 15 conveys approximately .303 of an acre, known as the Rock House Property in Rabun County under the custody of the Georgia Department of Natural Resources, to the Town of Tallulah Falls or to a local government or State entity for a consideration of \$10, so long as the property is used for public purpose in perpetuity, as well as other provisions the State Properties Commission determines to be in the best interest of the State of Georgia.

Article 16 conveys approximately 405.1 acres, known as Pointer Reservoir and Black Shoals Park in Rockdale County, under the custody of the Georgia Department of Natural Resources, which has been leased to Rockdale County since 1999 for 50 years, for \$10 for the continued operation of the property for recreational and other public purposes.

Article 17 conveys approximately 1,029 acres, known as the Former Camp Wilderness/Outdoor Therapeutic Center in White County, under the custody of the Georgia Department of Natural Resources and managed under an intergovernmental agreement by White County for use as county office space, storage, training, and a fire station until January 22, 2063, to White County or to a local government or state entity for the consideration of \$10 for use solely for public purpose in perpetuity.

Authored By: Rep. Gerald Greene (151st) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HR 1104 Property; granting of non-exclusive easements; authorize

Bill Summary: HR 1104 authorizes the granting of non-exclusive easements for the construction, operation, and maintenance of facilities, utilities, roads, and ingress and egress in, on, over, under, upon, across, or through property owned by the State of Georgia in the counties of Bartow, Bulloch, Butts, Chatham, Clay, Columbia, Emanuel, Floyd, Forsyth, Fulton, Harris, Henry, Liberty, Macon, Montgomery, Murray, Tattnall, Towns, and White, as follows:

Article 1 grants an easement to Bleckley County or its successors and assigns over approximately .32 of an acre in Bartow County under the custody of the State Properties Commission for the purpose of the construction, operation, and maintenance of a bridge over the Western and Atlantic Railroad in

Land Lot 899, 14th District, 3rd Section for \$10.

Article 2 grants an easement to Excelsior Electric Membership Corporation or its successors and assigns over approximately .40 of an acre in Bulloch County under the custody of the Technical College System of Georgia for the construction, installation, operation and maintenance of underground electrical transmission lines to serve TCSG-330 (Plant Operations Building) at Ogeechee Technical College in 1209th G.M.D. for \$10.

Article 3 grants an easement to Georgia Power Company or its successors and assigns over approximately .4 of an acre in Butts County under the custody of the Department of Natural Resources for the construction, installation, operation and maintenance of electrical distribution lines and associated equipment to serve the conference center at Indian Springs State Park in the 614th G.M.D. for \$10.

Article 4 grants an easement to Georgia Power Company or its successors and assigns over approximately .05 of an acre in Chatham County in the custody of the Department of Corrections for the construction, installation, operation and maintenance of electrical service lines and associated equipment to serve a new welding shop at Coastal State Prison in the 8th G.M.D. for \$10.

Article 5 grants an easement to Georgia Power Company or its successors and assigns over approximately 2.76 acres in Chatham County under the custody of the Technical College System of Georgia for the construction, installation, operation and maintenance of electrical distribution lines and associated equipment to serve TCSG-335 (Quickstart training center) at Quickstart Regional Center in the 7th G.M.D. for \$10.

Article 6 an easement to Georgia Transmission Corporation or its successors and assigns over approximately .5 of an acre in Clay County under the custody of the Department of Natural Resources for the relocation of existing easement and construction, installation, operation and maintenance of new electrical transmission lines and associated equipment to serve George T. Bagby State Park in Land Lots 227 and 254, 7th District, for \$10.

Article 7 grants an easement to Georgia Power Company or its successors and assigns over approximately 1.1 acres in Columbia County under the custody of the Technical College System of Georgia for the construction, installation, operation and maintenance of electrical distribution lines and associated equipment to serve the Grovetown-Columbia Campus of Augusta Technical College in the 1285th G.M.D. for \$10.

Article 8 grants an easement to Georgia Power Company or its successors and assigns over approximately 1.38 acres in Columbia County under the custody of the Technical College System of Georgia for the construction, installation, operation and maintenance of electrical distribution lines and associated equipment to serve an adjacent property at the Grovetown-Columbia Campus of Augusta Technical College in the 1285th G.M.D. for fair market value but not less than \$650.

Article 9 grants an easement to Blackhall Studios or its successors and assigns over approximately 0.23 of an acre under the custody of the Department of Corrections for the construction, operation, and maintenance of a sound barrier at Metro State Prison in Land Lot 79, 15th District for fair market value but not less than \$650.

Article 10 grants an easement to Excelsior Electrical Membership Corporation or its successors and assigns over approximately .5 of an acre in Emanuel County under the custody of the Department of Natural Resources for the construction, installation, operation and maintenance of electrical distribution lines and associated equipment to serve new office buildings at George L. Smith State Park in the 1560th G.M.D. for \$10.

Article 11 grants an easement to Georgia Power Company or its successors and assigns over approximately .14 of an acre in Floyd County under the custody of the Technical College System of Georgia for the construction, installation, operation and maintenance of electrical distribution lines and associated equipment to serve the Machine Tools Renovation project at the Floyd County

Campus of Georgia Northwestern Technical College in Land Lot 325, 23rd Land District for \$10.

Article 12 grants an easement to City of Cumming or its successors and assigns over approximately .098 of an acre in Forsyth County under the custody of the Department of Defense for the relocation of the existing easement and to construct, install, and maintain a new water pipe for the road widening on Pilgrim Mill Road at the Cumming Readiness Center in Land Lots 1113 and 1114, 3rd Land District, 1st Section for fair market value but not less than \$650.

Article 13 grants an easement to City of Atlanta or its successors and assigns over approximately 0.012 of an acre under the custody of the Department of Economic Development and managed by the Geo L. Smith II Georgia World Congress Center Authority for the construction, installation, and maintenance of a storm sewer, as part of a sewer capacity relief project, at 271 Northside Drive NW in Land Lot 83, 14th District for \$12,300.

Article 14 grants an easement to Georgia Power Company or its successors and assigns over approximately .04 of an acre in Fulton County under the custody of the Department of Corrections for the construction, installation, operation and maintenance of underground electrical transmission distribution system and the demolition of an overhead power line to provide power to the Probation Officers Facility located at 276 Memorial Drive, in Land Lot 76, 14th Land District for \$10.

Article 15 grants an easement to Greystone Power Corporation or its successors and assigns over approximately .4 of an acre in Fulton County under the custody of the Department of Natural Resources for the construction, installation, operation and maintenance of overhead electrical equipment to provide electrical service to illuminate the parking area at Campbellton Road Boat Ramp in Land Lot 58, District 9C for \$10.

Article 16 grants an easement to TOJV, LLC or its successors and assigns over approximately .1419 of an acre in Fulton County and 24 feet high from the top of the area known as the "Plaza" under the custody of the Department of Economic Development and managed by the Geo L. Smith II Georgia World Congress Center Authority for the construction, installation, operation, and maintenance of the Omni Hotel Connector near CNN Center and adjoining the College Football Hall of Fame and the World Congress Center in Land Lot 78, 14th District for \$36,350.

Article 17 grants an easement to Georgia Power Company or its successors and assigns over approximately 0.03 of an acre in Hall County under the custody of the Department of Public Safety for the construction, installation, operation, and maintenance of electrical transmission lines at Patrol Post 6 in Land Lot 135, 10th District for \$10.

Article 18 grants an easement to Diverse Power or its successors and assigns over approximately .05 of an acre in Harris County under the custody of the Department of Natural Resources for the construction, installation, operation and maintenance of underground electrical lines and equipment to provide electrical service to group camping dining hall at Franklin D. Roosevelt State Park in Land Lot 16, 3rd Land District for \$10.

Article 19 grants an easement to Atlanta Gas Light Company or its successors and assigns over approximately .92 of an acre in Henry County under the custody of the Technical College System of Georgia for the construction, installation, operation and maintenance of gas distribution lines to serve TCSG-317 (Industrial Training and Technology Building) at Southern Crescent Technical College in Land Lot 136, 7th Land District for \$10.

Article 20 grants an easement to Coastal Electric Cooperative or its successors and assigns over approximately .05 of an acre in Liberty County under the custody of the Department of Natural Resources for the construction, installation, operation and maintenance of underground electrical service equipment to provide electrical service for a new automatic gate at Fort Morris Historic Site in 1359th Land District for \$10.

Article 21 grants an easement to Flint Electric Membership Corporation or its successors and assigns over approximately .0381 of an acre in Macon County under the custody of the Department of

Education for the construction, installation, operation and maintenance of underground electrical distribution lines to serve a shooting range at Camp John Hope in Land Lot 161, 9th District for \$10.

Article 22 grants an easement to Atlanta Gas Light or its successors and assigns over approximately .12 of an acre in Montgomery County under the custody of the Department of Corrections for the construction, installation, operation and maintenance of a natural gas pipeline to serve the prison fire station at Montgomery State Prison in the 1343rd and 1757th G.M.D. for \$10.

Article 23 grants an easement to Georgia Power Company or its successors and assigns over approximately .003 of an acre in Murray County under the custody of the Department of Natural Resources for the construction, installation, operation and maintenance of a support pole and anchor for the widening of SR52 Alternate at Chief Vann House Historic Site in Land Lot 224, 9th District for \$10.

Article 24 grants an easement to the Department of Transportation or its successors and assigns over approximately 0.21 of an acre in Richmond County under the custody of the Department of Corrections for the construction, installation, operation, and maintenance of the widening and reconstruction of SR10 from Fort Gordon New ACP/Gate 6 to SR223 (PI0013248) and a driveway easement to provide smooth transition into the new alignment from Augusta State Medical Prison in the 119th and 1269th G.M.D. for \$10.

Article 25 grants an easement to Atlanta Gas Light or its successors and assigns over approximately 11.146 acres in Tattnall County under the custody of the Department of Corrections for the construction, installation, operation and maintenance of a natural gas pipeline to serve Rogers State Prison in the 1645th G.M.D. for \$10.

Article 26 grants an easement to Department of Transportation or its successors and assigns over approximately 3.6 acres in Towns County under the custody of the Department of Natural Resources for the construction, installation, operation and maintenance of a bridge for the road widening project for State Route 66 over Brasstown Creek at Brasstown Valley Resort in Land Lots 117 and 118, 17th District, 1st Section for fair market value but not less than \$650.

Article 27 grants an easement to Habersham Electrical Membership Corporation or its successors and assigns over approximately .22 of an acre in White County under the custody of the Department of Natural Resources for the construction, installation, operation and maintenance of underground electrical equipment to serve new well house at Unicoi State Park in Land Lots 130, 159, and 162, 3rd Land District for \$10.

Authored By: Rep. Gerald Greene (151st) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

SB 385 Solid Waste Disposal Facilities; surcharge imposed by host local governments; change

Bill Summary: SB 385 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: Sen. Burt Jones (25th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

SB 401 Individual Graduation Plans; guidance in career oriented aptitudes and career interests; provide

Bill Summary: Senate Bill 401 amends O.C.G.A. 20-2-161.3 relating to dual credit courses by requiring participating postsecondary institutions to provide enrollment and student record data to the Office of Student Achievement and to the state-wide longitudinal data system. This legislation also requires individual graduation plans to account for a student's career-oriented aptitudes as well as

career interests and academic skills by the end of eighth grade. To further the guidance of students in academic, career, social, and emotional development by school counselors, the Department of Education shall review each school counselor's role, workload, and program service delivery and report such findings to the State Board of Education and the General Assembly by December 31, 2018.

House Bill 762 amends O.C.G.A. 20-2-143 relating to sex education and AIDS prevention courses by requiring the inclusion of age-appropriate sexual abuse and assault awareness and prevention education for students in kindergarten through 9th grade.

Authored By: Sen. Lindsey Tippins (37th) **Rule Applied:** Modified-Open
Motions to Agree(*A motion to agree represents final passage of the bill.*)

SB 407 Criminal Justice System; comprehensive reform for offenders; provide

Bill Summary: SB 407 constitutes the reforms and recommendations offered by the Criminal Justice Coordinating Council. The bill allows the Criminal Case Data Exchange Board to create rules concerning e-filing in superior and state court criminal cases after January 1, 2019. In addition, all civil complaints in superior and state court are to be filed electronically after July 1, 2019. The Judicial Council of Georgia is directed to make rules and minimum standards for e-filing in superior and state courts, and the clerks of both courts are allowed to create policies and procedures to carry out those standards. If an attorney files electronically, he or she has consented to be served electronically. Moreover, the Judicial Council of Georgia is authorized to promulgate the rules for the collection of data on juvenile offenders by the clerks of juvenile court. SB 407 creates the Criminal Code Data Exchange Board to promulgate rules with respect to courts receiving criminal case filings electronically and the exchange of data between agencies and entities with respect to criminal cases from inception to conclusion.

The Judicial Council of Georgia is charged to develop a uniform misdemeanor citation and complaint form for violations of misdemeanor and ordinance violations. In addition, the bill allows for prosecution of misdemeanors on accusation, citation, or citation and arrest for certain misdemeanors. SB 407 allows for arrest by citation for a minor in possession of alcohol and related crimes, as well as motor vehicle crimes. Moreover, the list of crimes that an officer can arrest by citation is increased to include the misdemeanor crimes of criminal trespass, shoplifting, refund fraud, and the possession of marijuana. Before the offender is released, the officer must obtain and review the offender's fingerprints through the National and Georgia Crime Information Centers.

SB 407 authorizes courts of inquiry to set bail for violations of city ordinances. Courts are prevented from imposing excessive bail and can only impose conditions reasonably necessary to ensure court attendance and protect public safety. The bill also expands the list of judges who can set bail, and provides additional instructions on bail decisions to include consideration for the offender making bail as soon as possible. Defendants who are convicted of local ordinance violations may satisfy their fine and fee obligations, including probation supervision fees, through community service and the bill allows the court to waive, modify, or convert fines and fees if the court finds prior or subsequent to sentencing that the defendant has a significant financial hardship which includes developmentally- or physically-disabled dependents. The bill removes the authorization for a judge to impose a fine as a condition of probation and caps fines on felony cases at \$100,000. When an offender is seeking a record restriction, the offender should file the request in the court where they were convicted rather than the superior court. Accountability court judges are authorized to order the Department of Driver Services to reinstate or revoke driver licenses or permits as a reward or sanction for the actions in the accountability court. The court is also allowed to grant petitions for early termination of probation, that the state does not oppose, within 90 days of receiving the petition. The bill allows for an offender, during a term of a sentence imposed before July 1, 2016, to petition the court to restrict the dissemination of the offender's first offender criminal record. Supervision fees that are collected on pay-only probation are capped at the rate in the contract between the private probation company and the court. It provides a 10-day grace period for probationers who fail to report from the time the officer mails a letter to the probationer, so long as the probationer reports. SB 407 prohibits licensing boards from denying or revoking professional licenses based on first offender pleas, conditional

discharges, or no lo pleas, unless the felony is a crime of moral turpitude or directly relates to the occupation for which the license is sought.

The punishment for theft by taking firearms is increased on the second or subsequent conviction to not less than five nor more than 10 years of imprisonment. SB 407 creates a penalty for using a firearm with an altered ID mark with the first offense being punished as a felony with a term of imprisonment of not less than one nor more than five years and second and subsequent violations with a term of imprisonment of not less than five nor more than 10 years. The bill also revises the Code regarding the prohibition of straw purchasers of firearms by requiring that the action for knowing transfers to a convicted felon, first offender probationer, and felony conditional discharge probationers have a first offense punishment as a felony with a term of imprisonment not less than one nor more than five years, and the second and subsequent offense being punished with a term of imprisonment of not less than five nor more than 10 years. The bill also expands the list of persons who are prohibited from possessing a firearm to include anyone on felony conditional discharge probation.

SB 407 allows the Department of Community Health to share information on the prescription drug monitoring program database with federal agents as allowed by federal law under a search warrant, an administrative subpoena, and civil investigative demand. Moreover, the bill allows for disclosure to out-of-state prescription drug monitoring programs operated by governmental entities.

Finally, SB 407 allows Technical College System police officers to make arrests for offenses committed on the property of the Technical College System or any public or private property within 500 feet of such property.

Authored By: Sen. Brian Strickland (17th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

SB 445 Department of Transportation; standards for contracts; contract bidding process and award procedure; provide

Bill Summary: Senate Bill 445 is a clean-up bill for the Department of Transportation. Section 1 strikes the reference to federal-aid highway contracts since construction projects may also be state funded. This ensures that existing contracting requirements related to pre-bid site inspection and contract terms apply consistently.

Section 2 clarifies that posting a letting advertisement on the department's website fulfills the notice requirement.

Section 3 makes clear that the deadline for a bidder to supply their signed, notarized, e-verify affidavit is prior to the contract award as opposed to the bid submission.

Section 4 states that "camping" or temporary habitation on state right-of-ways is not lawful. This language is to assist state and local law enforcement with respect to more clear enforcement.

Section 5 adds more consistency to the department's surplus right-of-way statute to allow the department to sell surplus right-of-way to the highest bidder, even up to 15 percent below the appraised value. Further, this section clarifies that a real estate broker who lists these sales must be Georgia-based and adjusts the required listing time from three months to 30 days.

Authored By: Sen. Steve Gooch (51st) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

Motions to Disagree

HB 59 Revenue and taxation; tax credits for rehabilitation of historic structures; revise procedures, conditions, and limitations

Bill Summary: House Bill 59 amends 48-7-29.8, relating to tax credits for the rehabilitation of historic structures, by increasing the credit cap to \$40 million per calendar year for projects earning more than \$300,000 in credits and establishing that the credits claimed shall not be refundable, transferable, or saleable. The credit sunsets on July 1, 2023.

The bill also establishes an income tax credit for manufacturers who produce electric vehicles and have a sole manufacturing facility and primary place of business in Georgia. The credit of \$2,500 per vehicle is only available to manufacturers who employ at least 50 full-time employees. The credit is capped at a state wide total of \$5 million and has a sunset date of July 1, 2021.

Authored By: Rep. Ron Stephens (164th) **Rule Applied:** Structured
Motions to Disagree(A motion to disagree sends the bill back to the Senate for consideration.)

Rules Calendar

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
House Committee: Education **Committee Action:** 02-22-2018 Do Pass
Floor Vote: Yeas: 158 Nays: 0 **Amendments:**
Floor Action: Adopted (Resolution)

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
House Committee: Economic Development & Tourism **Committee Action:** 02-20-2018 Do Pass
Floor Vote: Yeas: 111 Nays: 59 **Amendments:**
Floor Action: Adopted (Resolution)

HR 1194 House Study Committee on Retrospective Emergency Room Policies; create

Bill Summary: This resolution creates the House Study Committee on Retrospective Emergency Room Policies. The committee shall be composed of five members of the House of Representatives to be appointed by the speaker of the House of Representatives. The speaker shall designate a member as chairperson of the committee. The committee shall undertake a study of the conditions,

needs, issues, and problems related to emergency rooms and recommend any action or legislation the committee deems necessary or appropriate. In the event the committee adopts any specific findings or recommendations that include suggestions for proposed legislation, the chairperson shall file a report prior to the date of abolishment by December 1, 2018.

Authored By: Rep. David Knight (130th)
House Committee: Health & Human Services

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

Floor Vote: Yeas: 168 Nays: 3
Floor Action: Adopted (Resolution)

Amendments:

SB 89 Transportation Department Officers; railways and railroad facilities and equipment; provide for state investment

Bill Summary: SB 89 establishes within the Department of Transportation a Georgia Freight Railroad Program. This program is administered by the commissioner and subject to appropriations, and it will enhance the state's investment in freight rail projects. It is composed of three subprograms: rail enhancement, rail preservation, and rail industrial. In administering these subprograms, every effort will be made to balance the initiative around the state. At the end of each fiscal year, the commissioner or his appointee will submit a report of the program to the governor, lieutenant governor, and the speaker of the House. The report shall also be made available to the members of the General Assembly.

Authored By: Sen. David Shafer (48th)
House Committee: Transportation

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

Floor Vote: Yeas: 149 Nays: 13

Amendments:

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)
House Committee: Game, Fish, & Parks

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

Floor Vote: Yeas: 174 Nays: 0

Amendments:

SB 362 Education; establishment of an innovative assessment pilot program; provide

Bill Summary: Senate Bill 362 creates O.C.G.A. 20-2-286, which requires the State Board of Education to establish an innovative assessment pilot program beginning in the 2018-2019 school year. The innovative assessment pilot program will be open to 10 school systems for a span of three to five years. These systems will examine one or more alternative assessment systems which focus on formative assessments that provide real-time feedback to identify areas of student mastery and deficiency throughout the school year and allow adjustments to teaching as learning progresses. Participating systems will be able to waive some of the summative assessment requirements while implementing formative assessments.

Authored By: Sen. Lindsey Tippins (37th)
House Committee: Education

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

Floor Vote: Yeas: 171 Nays: 0

Amendments:

SB 368 Criminal Justice Coordinating Council; functions and authority; add

Bill Summary: SB 368 extends the function and authority of the Criminal Justice Coordinating Council to include technical support and assistance for grant writing to local law enforcement agencies to enhance effectiveness when the council finds that such local law enforcement agency would otherwise lack access to adequate technical support and assistance. Grant writing assistance includes but is not limited to, grants for equipment, training, or other official local agency needs.

Authored By:	Sen. Greg Kirk (13th)	Rule Applied:	Modified-Open
House Committee:	Public Safety & Homeland Security	Committee Action:	03-12-2018 Do Pass by Committee Substitute
Floor Vote:	Yeas: 165 Nays: 0	Amendments:	

SB 376 Identity Theft; consumer credit reporting agencies charging a fee for placing/removing a security freeze; prohibit

Bill Summary: This legislation prohibits credit reporting agencies from charging a fee for placing or removing a security freeze on a consumer's account.

Authored By:	Sen. David Shafer (48th)	Rule Applied:	Modified-Structured
House Committee:	Banks & Banking	Committee Action:	03-12-2018 Do Pass
Floor Vote:	Yeas: 168 Nays: 1	Amendments:	AM 34 0792

SB 391 State Road and Tollway Authority; requirements relating to identification and regulation of motor vehicles; exempt transit service buses, motor vehicles, and rapid rail systems

Bill Summary: SB 391 exempts bus, rapid rail, or motor vehicle service provided by the Georgia Regional Transportation Authority (GRTA) from the Motor Carrier Code section. This exemption exists in GRTA's Code section already, and because the State Road and Tollway Authority (SRTA) assumed operations in July, the SRTA Code is being updated to mirror the existing GRTA Code.

Authored By:	Sen. Brandon Beach (21st)	Rule Applied:	Modified-Open
House Committee:	Transportation	Committee Action:	03-15-2018 Do Pass
Floor Vote:	Yeas: 160 Nays: 9	Amendments:	

SB 403 Primaries and Elections; uniform election equipment in this state; provide

Bill Summary: Senate Bill 403 creates the Georgia 2020 Election Transition Commission. The purpose is to study the feasibility, practicality, and desirability of acquiring new voting systems for use in elections in this state and the steps and changes necessary to accomplish such acquisition. The commission shall be made up by the following: six members of the House of Representatives appointed by the speaker, not more than four of whom shall be from the same political party; six members of the Senate appointed by the lieutenant governor, not more than four of whom shall be from the same political party; one local elections official appointed by the speaker of the House of Representatives who shall be a non-voting member; one local elections official appointed by the lieutenant governor who shall be a non-voting member; the chairperson of the Georgia Republican Party or his or her designee who shall be an ex-officio, non-voting member; and the chairperson of the Democratic Party of Georgia or his or her designee who shall be an ex-officio, non-voting member. The commission may conduct meetings when and where they deem necessary to exercise its powers, perform its duties, and accomplish the objectives of the commission.

Finally, SB 403 extends the day for the certification of an election to the Wednesday of the week following the day of the election.

Authored By:	Sen. Bruce Thompson (14th)	Rule Applied:	Modified-Structured
House Committee:	Governmental Affairs	Committee Action:	03-14-2018 Do Pass by Committee Substitute
Floor Vote:	Yeas: 112 Nays: 60	Amendments:	

SB 426 "Broadband Infrastructure Leads to Development (BILD) Act"

Bill Summary: Senate Bill 426 amends Title 46 of the O.C.G.A. to provide for the deployment of broadband services throughout the state in order to increase economic development.

Section One allows electric membership corporations (EMCs) to provide and operate broadband services directly or through an affiliate or a subsidiary in rural counties, if the EMC obtains a certificate of authority issued by the Public Service Commission, pursuant to O.C.G.A. 46-5-163.

Any EMC providing broadband services on or before January 1, 2018, in a county that is not considered rural, may continue to provide broadband services in that county. Furthermore, if an EMC begins providing broadband services in a rural county on or after the effective date of this paragraph and such county subsequently is no longer a rural county, the EMC may continue providing broadband services to the county.

A "rural county" is defined as having the same meaning as provided in O.C.G.A. 3107-94.1, which states a rural county is a county having a non-military population of less than 50,000.

Section Two states rural telephone cooperatives, in addition to furnishing telephone service, may also furnish broadband services directly or through an affiliate or subsidiary.

Section Three states a cooperative may also furnish, improve, and expand broadband services. These services may be provided separately or in conjunction with telephone service. Broadband services may also be furnished in the same or different areas in which the cooperative furnishes telephone service, provided that none of the costs of providing broadband services shall be eligible for recovery from the Universal Access Fund.

Authored By: Sen. Steve Gooch (51st)
House Committee: Energy, Utilities & Telecommunications
Floor Vote: Yeas: 143 Nays: 10

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

SB 430 Elections; compensation of various local government officials; modify

Bill Summary: Senate Bill 430 codifies the current base salary of local constitutional officers.

Authored By: Sen. Matt Brass (28th)
House Committee: Governmental Affairs
Floor Vote: Yeas: 159 Nays: 7

Rule Applied: Modified-Structured
Committee Action: 03-14-2018 Do Pass by Committee Substitute
Amendments: AM 281648

SR 685 Georgia Coast; bed of tidewater known as "Runaway Negro Creek"; rename to "Freedom Creek"

Bill Summary: Senate Resolution 685 changes the name of "Runaway Negro Creek" on Skidaway Island, Georgia, to "Freedom Creek".

Authored By: Sen. Lester Jackson (2nd)
House Committee: Governmental Affairs
Floor Vote: Yeas: 174 Nays: 0
Floor Action: Adopted (Resolution)

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

Local Calendar

SB 485 City of Atlanta; independent school district; homestead exemption; \$50,000; applicability; referendum; provide

Bill Summary: This bill increases the homestead exemption to \$50,000 of the value of a homestead that exceeds \$10,000 from City of Atlanta Independent School District ad valorem taxes for educational purposes.

Authored By: Sen. Jennifer Jordan (6th)

House Committee: Intragovernmental Coordination -
Local

Floor Vote: Yeas: 167 Nays: 0

Rule Applied:

Committee Action: 03-29-2018 Do Pass by Committee
Substitute

Amendments:

SB 486 City of Atlanta; independent school district; homestead exemption; \$100,000; residents 65 years of age or older; applicability; referendum; provide

Bill Summary: This bill provides a homestead exemption from City of Atlanta Independent School district ad valorem taxes for educational purposes in the amount of \$100,000 of the assessed value for residents who are 65 and older.

Authored By: Sen. Jennifer Jordan (6th)

House Committee: Intragovernmental Coordination -
Local

Floor Vote: Yeas: 167 Nays: 0

Rule Applied:

Committee Action: 03-29-2018 Do Pass by Committee
Substitute

Amendments:

