



Thursday, March 5, 2015

House Budget & Research Office
(404) 656-5050

House Communications Office
(404) 656-0305

- The House will reconvene for its 28th Legislative Day on Monday, March 9 at 10:00 a.m.
- The Rules committee will meet at 9:00 a.m.
- Eight bills are expected to be debated on the floor.

Today on the Floor

Motions to Agree

HB 292 Revenue and taxation; Internal Revenue Code; define terms; incorporate certain provisions of federal law into Georgia law

Bill Summary: HB 292 amends the Revenue Code to incorporate and conform to the seven pieces of legislation which were made at the federal level and affected the Georgia Revenue code.

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

Rules Calendar

HB 170 Transportation Funding Act of 2015; enact

Bill Summary: House Bill 170 provides for the elimination of the state sales tax on motor fuels and moves to a flat excise rate. Local option sales taxes that do not expire will no longer be levied on motor fuels but will move to a rate of 1.25 percent after July 1, 2016. For Special Purpose Local Option Sales Taxes, the rate will remain at one percent and will continue to be levied on motor fuels. If reauthorized by voters upon expiration, the revenue generated from local taxes on motor fuels will be required to be used on transportation purposes.

The tax credit given to commercial airlines is repealed and a new provision requiring the revenue derived from the sales and use taxes on jet fuel to be used for a state aviation program or airport related purposes to the extent required by Federal law is added. Anything in excess of the federally-required amount may be appropriated by the General Assembly for other purposes.

This legislation also requires that the board of the Georgia Transportation Infrastructure Bank give greater consideration for Tier One and Tier Two counties when determining eligibility for loans and financial assistance.

Authored By: Rep. Jay Roberts (155th) **Rule Applied:** Modified-Structured
House Committee: Transportation **Committee Action:** 03-02-2015 Do Pass by Committee Substitute
Floor Vote: Yeas: 123 Nays: 46 **Amendments:**

HB 200 Income tax credit; change amount of credit for electric vehicle chargers; provisions

Bill Summary: This legislation amends the electric vehicle charging station tax credit to allow for a business involved in the ownership or operation of commercial office, residential retail, or industrial real property. Additionally, until June 30, 2018 the credit would be adjusted to 20 percent of the value of the charger or \$2,500, whichever is less. From July 2, 2018 through June 30, 2020 the value of the credit would be 10 percent of the charger or \$2,500, whichever is less.

Authored By: Rep. Don Parsons (44th) **Rule Applied:** Structured

House Committee: Ways & Means
Floor Vote: Yeas: 152 Nays: 16

Committee Action: 02-26-2015 Do Pass by Committee Substitute
Amendments:

HB 213 Metropolitan Atlanta Rapid Transit Authority Act of 1965; permanent suspension of restrictions on use of sales and use tax proceeds upon submission of an independent management audit to certain officials; provide

Bill Summary: House Bill 213 removes from the 'MARTA Act' the 50/50 restriction on proceeds. In the event the authority fails to file with the governor, state auditor, and chair of the MARTOC committee a report of findings of an independent management audit every four years, then for the four years period following the year when the audit report was due but not submitted, the 50/50 restriction resumes.

Authored By: Rep. Mike Jacobs (80th)
House Committee: Transportation
Floor Vote: Yeas: 144 Nays: 19

Rule Applied: Modified-Open
Committee Action: 02-19-2015 Do Pass by Committee Substitute
Amendments:

HB 214 Metropolitan Atlanta Rapid Transit Authority Act of 1965; restoration of voting privileges to Commissioner of Department of Transportation until 2017; provide

Bill Summary: House Bill 214 amends the 'MARTA Act' by: adding the executive director of the Georgia Regional Transportation Authority as a voting member until December 31, 2016; staggers terms for new board members appointed by a local governing body after entering into an agreement with the authority; changes "bidding"/"bidder" language to "procurement"/"respondent"; requires the management audit to include the auditor's recommendations and signed written verification that the authority full cooperated with the audit; gives provisions for suspensions and civil penalties for violations of Board rules and regulations, as well as appeals procedures; and requires those entering into a contract to charge a one percent sales tax.

Authored By: Rep. Mike Jacobs (80th)
House Committee: Transportation
Floor Vote: Yeas: 146 Nays: 19

Rule Applied: Modified-Open
Committee Action: 02-19-2015 Do Pass by Committee Substitute
Amendments:

HB 328 Adult offenders; enact reforms recommended by Georgia Council on Criminal Justice Reform

Bill Summary: HB 328 modifies the 'Fair Business Practices Act of 1975' by adding a section to regulate "consumer reporting agencies," those persons or entities that assemble or evaluate consumer information to provide third parties with a "consumer report" used to evaluate the consumer's fitness for insurance, credit, or employment.

The bill requires consumer reporting agencies to notify consumers when their public record information is provided to a third party, along with the name and address of the receiving party, or to maintain strict procedures to ensure the accuracy of any information that is likely to adversely affect the consumers' ability to obtain employment.

Any consumer reporting agency providing information to a third party domiciled or having a principle place of business within the state will be considered to be conducting business in the state.

HB 328 allows parole eligibility for inmates required to serve their entire sentence under the repeat offender statute who are serving a sentence of 12 years up to life and meet certain requirements. Requirements for the inmate include: no conviction of certain felonies which are violent in nature, weapons-related or result in registration as a sex offender; completion of at least 12 years of the sentence; determination by the Department of Corrections to have low-risk for recidivism; classification as medium risk (or less) for institutional housing purposes; no serious disciplinary infractions for 12 months prior to consideration; and obtained a high school diploma or GED.

The bill allows drug court diversion program participants to receive a probationary professional or

business license when the applicant submits an application for licensure or renewal and proof of program completion. This amendment does not preclude the board from considering convictions other than the conviction that resulted in the assignment to the drug court.

The bill adjusts the public assistance fraud statute, clarifying that the statute is not gender specific by adding "or she" after "he" where it is appropriate. The amendment also raises the threshold for felony fraud from \$500 to \$1,500.

Code sections referencing the "Georgia Public Defender Standards Council" are amended by striking "Standards" thus changing the name to "Georgia Public Defender Council."

The bill removes language that required the council to select their director on the basis of training and experience. The bill also strikes language that gave the director the power to: take action necessary to perform indigent defense services, enforce rules and regulations necessary to perform indigent defense services, carry into effect the minimum standards promulgated by the council, and to perform functions and duties that the council is authorized to perform under O.C.G.A. Â§ 17-12-4. The director is also prohibited from representing any indigent person or engaging in the private practice of law for profit.

The director is no longer required to submit procedures he or she develops for the council's approval. Also, the director is no longer required to consult with professionals about implementing and improving indigent services programs. Finally, this bill requires the director to "hire or remove" directors for the offices of mental health advocacy and the Georgia capital defender.

HB 328 gives the council the authority to assist public defenders instead of requiring them to do so. Similarly, the bill allows, instead of requires, the council to keep and publish statistics to evaluate the delivery of indigent defense in Georgia. The council is required to meet at least semi-annually instead of quarterly under the bill.

The bill strikes the Code section that required the council to approve programs for representation of indigent persons. Language is also stricken from the Code that required policies and standards promulgated by the council to be publicly available on the council's website.

HB 328 changes the reporting requirements of the council and director. Instead of requiring an annual report of the council's expenditures and revenue, such report is only required "upon request." The same change is made regarding reports by the director assessing the delivery of indigent defense in Georgia.

The legislative committee providing oversight of the council is only required to meet once, instead of three times, each year. Also, this legislative oversight committee is no longer required to submit an annual report of its activities and findings.

When a public defender is replaced due to a conflict of interest, this bill strikes language that required the replacing attorney to have the training and experience that the complexity of the case requires. Language is also stricken that required such attorney to meet standards established by the council.

Instead of requiring a public defender to represent any juvenile case where there is a possibility of confinement, commitment or probation, this bill only requires representation in juvenile delinquency cases.

Circuit public defenders are no longer required to establish a special juvenile defense division. The bill also strikes language that entitled a person arrested or served with any initiating process to the services of public defense council within three business days.

Current law allows a city or county to contract with circuit public defenders to provide indigent defense to people accused with violating ordinances or state laws. This bill strikes language that subjects the city and county to policies adopted by the council if they do not contract with the circuit public defenders.

This bill strikes language enumerating the specific types of records that the public defenders are required to keep. Instead, the public defenders are required to keep records "as requested by the council."

Current law allows a single county judicial circuit to, upon approval by the council, establish an alternative system of delivering indigent defense services. If the council disapproves, this bill allows the system to appeal that disapproval to the council instead of the Supreme Court of Georgia.

The governing authority within a judicial circuit is still required to provide the public defender with the name and identifying information of each person who applies and is eligible for legal services; however, such authority is no longer required to submit that information within one day of the defendant's application.

Authored By:	Rep. Chuck Efstoration (104th)	Rule Applied:	Modified-Structured
House Committee:	Judiciary Non-Civil	Committee Action:	03-02-2015 Do Pass by Committee Substitute
Floor Vote:	Yeas: 170 Nays: 0	Amendments:	

HB 366 Employment of minors; issuance of employment certificates; change certain provisions

Bill Summary: House Bill 366 allows the parents of home-schooled children to sign off on applications for employment certificates for minor children. Under current law, these parents must use an administrator from the public high school for which their child is districted to sign. It further provides that documents relating to the employment of minors as actors or performers shall be exempt from open records requests.

Authored By:	Rep. Brian Strickland (111th)	Rule Applied:	Modified-Open
House Committee:	Industry and Labor	Committee Action:	02-26-2015 Do Pass by Committee Substitute
Floor Vote:	Yeas: 168 Nays: 0	Amendments:	

HB 368 Construction; glass installations; repeal and reserve Part 5 of said article

Bill Summary: House Bill 368 repeals the Code requirement for the Department of Insurance to regulate commercial glass installation because the process is regulated by federal regulation.

Authored By:	Rep. Brian Strickland (111th)	Rule Applied:	Modified-Open
House Committee:	Industry and Labor	Committee Action:	02-26-2015 Do Pass
Floor Vote:	Yeas: 170 Nays: 0	Amendments:	

HB 372 Utopian Academy for the Arts Act; enact

Bill Summary: House Bill 372, the 'Utopian Academy for the Arts Act,' would prohibit municipalities, counties, or any other subdivision of the state from requiring charter schools, which have passed the Department of Education facility inspection and hold a valid certificate of occupancy, to obtain any additional license to operate.

Authored By:	Rep. Christian Coomer (14th)	Rule Applied:	Modified-Structured
House Committee:	Education	Committee Action:	03-02-2015 Do Pass
Floor Vote:	Yeas: 170 Nays: 0	Amendments:	

HB 504 Health; vaccination against meningococcal disease of college students; revise provisions

Bill Summary: HB 504 requires newly admitted students who wish to live in a university's on-campus housing to receive a vaccination against meningococcal disease at most five years prior to admittance into such university. Additionally, HB 504 allows pharmacists to administer vaccines provided they have entered into a vaccine protocol agreement with a physician. Further, the pharmacist must complete 20 hours of education and training in the basics of immunology. The pharmacist must also provide the patient with a card containing information about the vaccine administered and the pharmacist must notify the patient's physician within 72 hours of administering the vaccine. Finally, under HB 504, the pharmacist is required to maintain individual liability

insurance coverage and provide proof of such coverage to the physician.

Authored By: Rep. Sharon Cooper (43rd)

House Committee: Health & Human Services

Floor Vote: Yeas: 168 Nays: 1

Rule Applied: Modified-Structured

Committee Action: 03-02-2015 Do Pass by Committee Substitute

Amendments:

Local Calendar

HB 516 Effingham County School District; board of education; change compensation for members

Bill Summary: A Bill to amend an Act to reconstitute the Board of Education for the Effingham County School District, so as to change the compensation for the members.

Authored By: Rep. Bill Hitchens (161st)

House Committee: Intragovernmental Coordination - Local

Floor Vote: Yeas: 155 Nays: 14

Rule Applied:

Committee Action: 03-04-2015 Do Pass

Amendments:

HB 518 Satilla Regional Water and Sewer Authority; selection of members; revise manner

Bill Summary: A Bill to amend an Act creating the Satilla Regional Water and Sewer Authority, so as to revise the manner of selection of the members of authority.

Authored By: Rep. John Corbett (174th)

House Committee: Intragovernmental Coordination - Local

Floor Vote: Yeas: 155 Nays: 14

Rule Applied:

Committee Action: 03-04-2015 Do Pass

Amendments:

HB 521 Fulton County; ad valorem tax; exemption amount to \$60,000 after two-year phase-in period; increase

Bill Summary: A Bill to provide a homestead exemption from Fulton County ad valorem taxes for county purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that county, so as to increase the exemption amount to \$60,000.00 after a two-year phase-in period.

Authored By: Rep. Brad Raffensperger (50th)

House Committee: Intragovernmental Coordination - Local

Floor Vote: Yeas: 155 Nays: 14

Rule Applied:

Committee Action: 03-04-2015 Do Pass

Amendments:

HB 522 Fulton County; homestead exemption to \$30,000 after a two-year phase in for certain residents 70 or older; change

Bill Summary: A Bill to provide a homestead exemption from Fulton County ad valorem taxes for county purposes in the amount of \$30,000.00 of the assessed value of the homestead after a two-year phase in for certain residents of the county who are 70 years of age or older.

Authored By: Rep. Brad Raffensperger (50th)

House Committee: Intragovernmental Coordination - Local

Floor Vote: Yeas: 155 Nays: 14

Rule Applied:

Committee Action: 03-04-2015 Do Pass

Amendments:

HB 526 Talbotton, City of; Talbot County; reincorporate

Bill Summary: A Bill to reincorporate the City of Talbotton in Talbot County, so as to provide a new charter.

Authored By: Rep. Debbie Buckner (137th)

House Committee: Intragovernmental Coordination - Local

Floor Vote: Yeas: 155 Nays: 14

Rule Applied:

Committee Action: 03-04-2015 Do Pass

Amendments:

HB 528 Chickamauga, City of; city manager and chief of police; revise duties and responsibilities

Bill Summary: A Bill to provide a new charter for the City of Chickamauga, so as to revise the duties and responsibilities of the city manager and the chief of police.

Authored By: Rep. Steve Tarvin (2nd)

Rule Applied:

House Committee: Intragovernmental Coordination -
Local

Committee 03-04-2015 Do Pass

Floor Vote: Yeas: 155 Nays: 14

Action:
Amendments:

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 28th Legislative Day, Monday, March 9, and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Monday, March 9, at 9:00 a.m., to set the Rules Calendar for the 29th Legislative Day.

HB 110 Fireworks; provide for sale of consumer fireworks; provisions

Bill Summary: HB 110 decriminalizes and regulates the sale and licensing of consumer fireworks, which must also comply with the United States Consumer Product Safety Commission and other regulated industries. The bill allots enforcement powers to the Safety Fire Commissioner.

Authored By: Rep. Jay Roberts (155th)
House Committee: Regulated Industries

Rule Applied: Modified-Structured
Committee Action: 03-03-2015 Do Pass by Committee Substitute

HB 212 Pain management clinics; health care professionals who must be on-site for the clinics to provide medical treatment or services; revise a provision

Bill Summary: HB 212 allows a pain management clinic to provide medical treatment if a certified registered nurse anesthetist is on-site.

Authored By: Rep. Tom Weldon (3rd)
House Committee: Health & Human Services

Rule Applied: Modified-Structured
Committee Action: 02-18-2015 Do Pass by Committee Substitute

HB 296 Scholarship program; special needs students; expand eligibility

Bill Summary: House Bill 296 would exempt lawful refugees or asylees from having to be a resident of Georgia for a year to be eligible for the Special Needs Scholarship.

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

Rule Applied: Modified-Structured
Committee Action: 03-02-2015 Do Pass by Committee Substitute

HB 353 Nonpublic postsecondary educational institutions; revise definitions; revise provisions

Bill Summary: House Bill 353 updates and eliminates code relating to the Nonpublic Postsecondary Education Commission.

Authored By: Rep. Carl Rogers (29th)
House Committee: Higher Education

Rule Applied: Modified-Structured
Committee Action: 03-03-2015 Do Pass

HB 385 Health records; determining annual cost adjustment for providing medical records from Office of Planning and Budget to Department of Community Health; move responsibility

Bill Summary: House Bill 385 amends the Official Code of Georgia, relating to costs of copying and mailing medical records and patient's rights to those records. The bill moves the responsibility for determining the annual cost of adjustment for providing medical records from the Office of Planning and Budget to the Department of Community Health.

Authored By: Rep. Chad Nimmer (178th)
House Committee: Governmental Affairs

Rule Applied: Modified-Open
Committee Action: 03-04-2015 Do Pass

HB 386 Georgia Coordinating Committee for Rural and Human Services Transportation; Chapter 12 of Title 32; repeal

Bill Summary: House Bill 386 repeals Chapter 12 of Title 32, which relates to the Georgia Coordinating Committee for Rural and Human Services Transportation.

Authored By: Rep. Chad Nimmer (178th)
House Committee: Governmental Affairs

Rule Applied: Modified-Open
Committee Action: 03-04-2015 Do Pass

HB 397 State Soil and Water Conservation Commission; revise provisions; provisions

Bill Summary: This legislation establishes the State Soil and Water Conservation Commission as an attached agency to the Georgia Department of Agriculture. Commencing with the appointments for 2015, the governor shall appoint five at-large members from throughout the state to serve on the commission. Such initial appointments shall be for terms of one, two, three, four and five years, respectively. Thereafter, successors shall be appointed for five-year terms of office.

The Commission may perform such acts, hold public hearings, and promulgate rules and regulations as may be necessary for the execution of its functions.

The commission shall have duties and powers to: offer assistance to the supervisors of the soil and water conservation districts in carrying out their powers and programs; keep the district supervisors informed of the activities and experiences of all the other districts and to facilitate the interchange of advice, experience, and cooperation; coordinate the programs of the districts by advice and consultation; and secure cooperation and assistance of the United States and any of its agencies.

The commission may also receive grants from any agency of the United States government or any agency of this state as well as make grants to districts, municipalities, counties or state agencies in Georgia to fund up to 20 percent of the cost of obtaining permits for and constructing improvements to any dam originally constructed or financially assisted by the Natural Resources Conservation Service or to carry out other purposes of this article.

The "Manual for Erosion and Sediment Control in Georgia" is defined as the published guidance of the commission governing the design and practices to be utilized in the protection of the state's natural resources from erosion and sedimentation which shall be based foremost upon sound engineering principles and repeatable bench and field testing of structural and vegetative best management practices and which shall have the annual approval of the Erosion and Sediment Control Overview Council established pursuant to Code Section 12-7-7.1.

Section Four of the bill creates the Erosion and Sediment Control Overview Council, which approves the Manual for Erosion and Sediment Control in Georgia prior to publication by the commission. The council also provides guidance on the best management practices for implementing any erosion and sediment control plan. The council shall be comprised of nine appointed members and meet prior to January 1, 2016 to approve the most current version of the manual and may also meet as necessary to approve changes or updates to the manual prior to its implementation. The council may develop recommendations governing the preparation of plans and the installation and maintenance of best management practices. If a dispute arises concerning the requirements of this Code section, the Erosion and Sediment control Overview Council shall mediate the dispute. These changes are effective on December 31, 2015.

Authored By: Rep. David Knight (130th)
House Committee: Agriculture & Consumer Affairs

Rule Applied: Modified-Structured
Committee Action: 03-02-2015 Do Pass by Committee Substitute

HB 492 Crimes and offenses; carrying in unauthorized locations; revise provisions

Bill Summary: HB 492 amends Title 16 in several areas. This legislation revises the unauthorized locations to provide that carrying in a government building as a non-license holder is unlawful. This section is further revised to provide that the prohibition on polling places is only in effect when elections are being conducted and polling places are being used for that purpose.

A new subsection states that nothing in said sections are to affect, repeal, or limit the exemptions provided for in 16-11-130. Those sections are those relating to: carrying in places other than homes, motor vehicles, public property; carrying in unauthorized locations; carrying in school safety zones, at school functions, or on a bus or transportation provided by the school; or weapons on the premises of a nuclear power facility.

The Code relating to renewals of licenses is amended. For license renewals, the bill requires the probate judge to investigate the applicant pursuant to Code. License applications will be considered for renewal if the applicant has a license with 90 or fewer days to expiration or 30 or fewer days past expiration. Applications for persons under 21 who are members of the armed forces must be accompanied by a letter from the applicant's commander and a copy of his/her orders. For renewals, the presentation of the current license is evidence to the judge of the probate that the applicant's fingerprints are on file. The background check for renewals will be a non-fingerprint check with GCIC and the FBI.

GCIC is to be notified immediately of the judge's revocation of a license but no less than ten days later.

If a person is convicted of a crime that would make it unlawful for him to maintain a weapons license, the judge will inquire whether such person has a license and in which county. The judge would then contact the probate in the county maintaining the license of the matter that makes the maintenance of such license is unlawful.

The bill adds political subdivisions and school districts to those entities that cannot regulate transport of firearms except as provided for in the Code. The instances where the municipality and the county can regulate are when it pertains to their employees; this bill also includes volunteers with the counties and cities. It revises the definition of "weapon" to mean any device designed or intended to be used, or capable of being used, for offense or defense, including but not limited to firearms, bladed devices, clubs, electric stun devices, and defense sprays.

Authored By: Rep. Rick Jasperse (11th)

House Committee: Public Safety & Homeland Security

Rule Applied: Structured

Committee Action: 03-03-2015 Do Pass by Committee Substitute

Committee Actions

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

Industry and Labor Committee

HB 443 Voluntary Veterans' Preference Employment Policy Act; enact

Bill Summary: House Bill 443 permits employers to create policies that provide preferential hiring, promoting, or retention to veterans of the armed forces of the United States.

Authored By: Rep. Katie Dempsey (13th)
House Committee: Industry and Labor
Committee Action: 03-05-2015 Do Pass

HB 500 Employment security; services performed by individual for wages shall be deemed to be employment unless Department of Labor makes a contrary determination based on evidence submitted; provide

Bill Summary: House Bill 500 codifies the seven elements adopted in Georgia case law for what constitutes an independent contractor vs. an employee.

Authored By: Rep. Ronnie Mabra (63rd)
House Committee: Industry and Labor
Committee Action: 03-05-2015 Do Pass

Intragovernmental Coordination Committee

HB 343 Lamar County; Board of Education; members elected on nonpartisan basis; provide

Bill Summary: House Bill 343 amends an Act providing for the election of members of the Lamar County Board of Education to provide that members of the board of education shall be elected on a nonpartisan basis.

Authored By: Rep. Johnnie Caldwell (131st)
House Committee: Intragovernmental Coordination
Committee Action: 03-05-2015 Do Pass

HB 437 Brunswick-Glynn County Water and Sewer Commission Act; enact

Bill Summary: House Bill 437 amends an Act creating the Brunswick-Glynn County Joint Water and Sewer Commission to provide for: a short title name change; nonpartisan election in conjunction with general primary; terms of elected members; a quorum; public access to annual budget; solicitation of donations; assistance to customers in financial hardship and low-income customers; separate accounting for certain donations and the expenditure of excess funds; and notices and hearings prior to any increase in water or waste-water rates.

Authored By: Rep. J. B. Jones (167th)
House Committee: Intragovernmental Coordination
Committee Action: 03-05-2015 Do Pass

HB 517 Echols County; board of education; provide nonpartisan elections

Bill Summary: A Bill to provide for nonpartisan elections of the members of the Board of Education of Echols County.

Authored By: Rep. John Corbett (174th)
House Committee: Intragovernmental Coordination
Committee Action: 03-05-2015 Do Pass

HB 527 Counties; provide budget for population of two hundred thousand or more; repeal Act

Bill Summary: A Bill to repeal a population act originally applicable to Fulton County relating to budget preparation.

Authored By:	Rep. Wendell Willard (51st)	Committee Action:	03-05-2015 Do Pass by Committee Substitute
House Committee:	Intragovernmental Coordination		

SB 93 Seminole County; office of probate judge; nonpartisan elections

Bill Summary: A Bill to provide for nonpartisan elections of the office of the probate judge of Seminole County.

Authored By:	Sen. Dean Burke (11th)	Committee Action:	03-05-2015 Do Pass
House Committee:	Intragovernmental Coordination		

Judiciary Committee**HB 17 Hidden Predator Act; enact**

Bill Summary: HB 17, the 'Hidden Predator Act,' extends the statute of limitations for civil actions for childhood sexual abuse under certain circumstances.

Currently, an action for childhood sexual abuse must be filed before the plaintiff's 23rd birthday. As to childhood sexual abuse committed on or after July 1, 2015, HB 17 allows for an action to be brought against an individual alleged to have perpetrated such abuse either: (1) by the plaintiff's 23rd birthday, or (2) within two years from the date the plaintiff knew or had reason to know of such abuse and that such abuse resulted in injury to the plaintiff, as established by competent medical or psychological evidence. If an action is filed under the second option above, the judge must determine within six months of the filing of the case when the plaintiff knew or had reason to know of the alleged childhood sexual abuse.

If the alleged perpetrator of the childhood sexual abuse was a volunteer of employee of an entity that owed a duty of care to the plaintiff, or if the alleged perpetrator and the plaintiff were engaged in some activity over which the entity had control, the entity may only be found liable for damages to the plaintiff if the entity is found to be negligent by clear and convincing evidence.

The bill provides a two-year retroactive window to allow revival of civil cases that have been time-barred by Georgia's current five-year statute of limitations for child sexual abuse cases. Such actions may only be filed against the individual alleged to have committed the abuse; no claim may be brought under the revival window against an entity. A revival action may not be brought if any claim has already been litigated to finality on its merits or if a written settlement agreement has been entered into between the plaintiff and defendant.

The bill also allows access for victims of child abuse or their guardians to investigation files after criminal cases have been closed.

Authored By:	Rep. Jason Spencer (180th)	Committee Action:	03-05-2015 Do Pass by Committee Substitute
House Committee:	Judiciary		

HB 98 Appellate courts; provide direct appeals and appeals requiring an application for appeals pertaining to courts-martial; provisions

Bill Summary: Incorporating the recommendations of the 2014 House Study Committee on the Georgia Code of Military Justice, HB 98 repeals in its entirety Article 5 of Chapter 2 of Title 38, the Georgia Code of Military Justice (GCMJ), and enacts a new article emulating the Model State Code of Military Justice. HB 98 clarifies U.S. Code Title 32 (Full-Time National Guard) duty status of

National Guard members so as to align it with U.S. Code Title 10 (Active) duty status in regard to rights, responsibilities, violation proceedings, and available punishment for continuity purposes.

Authored By: Rep. Christian Coomer (14th)
House Committee: Judiciary
Committee Action: 03-05-2015 Do Pass by Committee Substitute

HB 228 Sheriffs; collect and deposit certain fees; provide

Bill Summary: HB 228 clarifies that in all counties where the sheriff is paid on salary alone, Code section 15-16-21, which relates to fees for sheriff's services, applies as far as fees to be charged, but all such fees must be turned over to the county treasurer or fiscal officer.

Authored By: Rep. J. B. Jones (167th)
House Committee: Judiciary
Committee Action: 03-05-2015 Do Pass

HB 295 Corporations, partnerships, and associations; change certain provisions relating to definitions; provisions

Bill Summary: HB 295 allows limited liability companies (LLCs) to be registered agents for corporations, limited partnerships, and other LLCs. Additionally, the bill eliminates the need to deliver duplicate copies of a process, notice, or demand to the Secretary of State when foreign limited partnerships and LLCs fail to appoint a registered agent.

Authored By: Rep. Albert Reeves (34th)
House Committee: Judiciary
Committee Action: 03-05-2015 Do Pass by Committee Substitute

HB 322 Foreclosure; provide for recording of deeds under power within a certain time after sale; provisions

Bill Summary: HB 322 institutes a penalty for failure to file a deed under power after a foreclosure sale. Currently, the law allows 90 days from the foreclosure sale for filing of a deed under power with the clerk of the superior court of the county or counties in which the foreclosed property is located. HB 322 requires the holder of the deed under power to pay a late filing penalty of \$500 upon filing in addition to required filing fees if the deed under power is not filed within 120 days of the foreclosure sale.

The bill specifies that the clerk of the applicable superior court collects the penalty before the deed under power is filed. The sums are then remitted to the governing authority of the county. If the foreclosed property is located within a city, the county governing authority must remit the sums to the city governing authority within 30 days after receipt of the sums. For each late filing penalty for property located within a city, the county governing authority may withhold a five percent administrative processing fee from the remittance to the city.

Authored By: Rep. Brian Strickland (111th)
House Committee: Judiciary
Committee Action: 03-05-2015 Do Pass by Committee Substitute

HB 342 Nursing homes; violation of certain regulations shall not constitute negligence per se; provide

Bill Summary: HB 342 provides that no violation by a nursing home of any regulation pursuant to the federal 'Nursing Home Reform Act' or any Georgia regulation shall constitute negligence per se. However, courts in a civil action shall still take judicial notice of these regulations and admit them into evidence.

Additionally, the bill states that results or findings of a federal or state survey or inspection of a nursing home facility shall not be used in an advertisement or solicitation, unless the advertisement

or solicitation includes: the date of the survey; a statement that the Dept. of Community Health conducts a survey of all nursing home facilities at least once every 15 months; if applicable, a statement that the finding has been substantially corrected and the date of correction; the number of findings and the severity level of each finding; the average number of findings on the basis of surveys conducted by the department during the same calendar year as the survey used in the advertisement; the disclosure of whether each finding caused actual bodily harm to any residents and the number of residents harmed; and a statement that the advertisement is neither authorized nor endorsed by any government agency. A party found to have violated this provision shall be liable for attorney fees and costs incurred in an action to restrain or enjoin the violation. However, damages, attorney fees, and costs are not recoverable against any newspaper, news outlet, or broadcaster publishing an advertisement or solicitation submitted by a third party for a fee.

The bill only applies to causes of action arising on and after the effective date.

Authored By:	Rep. Trey Kelley (16th)	Committee	03-05-2015 Do Pass by Committee
House	Judiciary	Action:	Substitute
Committee:			

HB 524 Trade names; require registration with clerk of superior court; provisions

Bill Summary: HB 524 establishes a state-wide electronic network of trade name registrations, reregistrations, and cancellations filed in Georgia superior courts, to be developed and implemented by the Georgia Superior Court Clerks' Cooperative Authority (GSCCCA), or its designated agent. The bill requires superior court clerks to participate in the network.

The bill maintains the current \$15 fee for filing and registering trade names. It adds a \$22 fee for cancelling a trade name registration, and a \$20 fee for reregistering an existing trade name in the electronic registry. On January 1, 2021, these fees are lowered to \$18 and \$16, respectively. The clerk of the superior court that collects these fees must remit \$5 from each fee collected to the GSCCCA. On January 1, 2021, that remittance is lowered to \$1 from each fee collected.

Authored By:	Rep. Barry Fleming (121st)	Committee	03-05-2015 Do Pass
House	Judiciary	Action:	
Committee:			

Regulated Industries Committee

HB 232 State Board of Hearing Aid Dealers and Dispensers; change certain provisions

Bill Summary: HB 232 creates the State Board of Hearing Aid Dealers and Dispensers. The bill details the makeup of the board, requirements to be on the board, and sets the amount of continuing education required to renew a dispensary license at 20 hours.

Authored By:	Rep. Amy Carter (175th)	Committee	03-05-2015 Do Pass by Committee
House	Regulated Industries	Action:	Substitute
Committee:			

HB 461 Secondary metals recyclers; buying and selling regulated metal property; change certain provisions

Bill Summary: HB 461 clarifies and expands Article 14 of Chapter 1 of Title 10 relating to secondary metals recyclers. The bill prohibits secondary metals recyclers from purchasing catalytic converters unless the catalytic converter is attached to a vehicle or purchased from a used motor vehicle dealer or used motor vehicle parts dealer, a new motor vehicle dealer, a motor vehicle repairer, a manufacturer or distributor of catalytic converters, a seller with verifiable documentation, or a secondary metals recycler with proof of registration. The bill also eases the requirements for a secondary metals recycler to be able to purchase a burial object from manufacturers or distributors of burial objects by eliminating the need for a letter by the owner expressly recognizing the seller as an employee or authorized agent of the manufacturer or distributor. Also, the bill expands the list of

required records a secondary metals recycler must keep to include the name and date of birth of the seller or deliverer. The database documenting all transactions by secondary metals recyclers shall be maintained by the Georgia Bureau of Investigation (GBI) and be considered a trade secret. The GBI database is accessible and searchable by all law enforcement agencies and employees of electric suppliers and telecommunications companies provided that the employees are licensed private detectives or Georgia POST certified. It is unlawful for employees of electric suppliers and telecommunications companies to use the database for any purpose other than the investigation of alleged theft of regulated metal property.

Authored By: Rep. Jason Shaw (176th)
House Committee: Regulated Industries
Committee Action: 03-05-2015 Do Pass by Committee Substitute

HB 535 Alcoholic beverages; local authorization of sale of alcohol for consumption on the premises is lawful during a certain time on Sunday; provide

Bill Summary: HB 535 allows local governments, where alcohol is allowed to be consumed on premises, to authorize the sale of alcoholic beverages for consumption on premises on Sundays from 10:30 a.m. until midnight.

Authored By: Rep. Brett Harrell (106th)
House Committee: Regulated Industries
Committee Action: 03-05-2015 Do Pass

State Planning & Community Affairs Committee

HR 519 Mixon, Mr. Harry; Mr. Brad Dorminy; name building in their honor; recognize

Bill Summary: HR 519 renames a building on the campus of the Wiregrass Georgia Technical College in honor of Mr. Harry Mixon and Mr. Brad Dorminy.

Authored By: Rep. Jay Roberts (155th)
House Committee: State Planning & Community Affairs
Committee Action: 03-05-2015 Do Pass by Committee Substitute

Transportation Committee

HB 411 Highways; provide maximum total gross weight for vehicles hauling unfinished wood products when traveling on noninterstate highways; provisions

Bill Summary: This bill allows vehicles hauling unfinished wood products to have a maximum total gross weight of 84,000 pounds on all highways within this state which are not interstate highways as long as they have acquired the proper permit at a rate of \$250. Vehicles hauling wood products from a harvesting location to a first point of marketing or processing are given a five percent variance within a 150-mile radius of the point of origin.

Authored By: Rep. Sam Watson (172nd)
House Committee: Transportation
Committee Action: 03-05-2015 Do Pass by Committee Substitute

HR 36 Staff Sergeant Shaun J. Whitehead Memorial Bridge; Jackson County; dedicate

Bill Summary: Substitute to HR 36 Contains:

House Resolution 36 (Tommy Benton) enacts that the bridge on State Route 82 at Interstate 85 in Jackson County is dedicated as the Staff Sergeant Shaun J. Whitehead Memorial Bridge.

House Resolution 104 (Kevin Tanner) enacts that State Route 400 in Dawson and Lumpkin Counties is dedicated as the Bill T. Hardman Hospitality Highway.

House Resolution 105 (Rusty Kidd) enacts that the bridge on State Route 16 over Rooty Creek in Putnam County is dedicated as the William Love Walton Bridge.

House Resolution 225 (Darlene Taylor) enacts that State Route 302 in Decatur County from its intersection with State Route 97 to the Florida state line is dedicated as the Pauline Spearman Brinkley Highway.

House Resolution 301 (Chuck Williams) enacts that the bridge on U.S. 78/State Route 10 Business over the Middle Oconee River in Clarke County is dedicated as the Officer Buddy Christian Memorial Bridge.

House Resolution 306 (Penny Houston) enacts that the bridge on State Route 76 at milepost 3.19 in Berrien County is dedicated as the 1LTJames H. Perry "Uncle Jim" Memorial Bridge.

House Resolution 398 (Micah Gravley) enacts that the bridge on Lee Road over Interstate 20 in Douglas County is dedicated as the Captain Herb Emory Memorial Bridge.

House Resolution 420 (Tom McCall) enacts that the bridge on State Route 79 over Soap Creek in Lincoln County is dedicated as the Wayne J. Hawes Memorial Bridge.

House Resolution 425 (David Ralston) enacts that the intersection of State Route 515 and Loving Road in Fannin County is dedicated as the Roy William Beaver Intersection.

Authored By:	Rep. Tommy Benton (31st)	Committee Action:	03-05-2015 Do Pass by Committee Substitute
House Committee:	Transportation		

HR 215 Judge Ronald L. Newton Memorial Highway; Fannin County; dedicate

Bill Summary: House Resolution 215 dedicates a road in memory of the Honorable Ronald Lee Newton. Therefore, be it resolved and enacted by the General Assembly of Georgia that State Route 60 in Fannin County from its intersection with State Route 60 Spur in Mineral Bluff to the city limits of McCaysville is dedicated as the Judge Ronald L. Newton Memorial Highway.

Authored By:	Rep. David Ralston (7th)	Committee Action:	03-05-2015 Do Pass
House Committee:	Transportation		

Ways & Means Committee

HB 221 Ad valorem tax; property; change certain definitions

Bill Summary: HB 221 clarifies the statute regarding the valuation of subsidized property to allow subsidized loans to multi-family housing owners to qualify for the different valuation of property.

Authored By:	Rep. Jay Powell (171st)	Committee Action:	03-05-2015 Do Pass by Committee Substitute
House Committee:	Ways & Means		

HB 364 Real estate transfer tax; change certain provisions

Bill Summary: HB 364 grants power to the Revenue Commissioner to remove local tax assessors who act contrary to §48-5-342 (e). To initiate this process, the commissioner must receive a complaint of actions that are inconsistent with the statute and the commission may then initiate a removal hearing.

Authored By:	Rep. Jay Powell (171st)	Committee Action:	03-05-2015 Do Pass by Committee Substitute
House Committee:	Ways & Means		

HB 428 Sales and use tax; materials to be used in certain construction projects of zoological institutions; extend exemption

Bill Summary: HB 428 provides for a sales and use tax exemption for any qualified zoological organization for a two-year period. This exemption provides for a complete exemption at the local level and a capped exemption of \$350,000 at the state level. Administration of such exemption will be conducted through the qualified organization paying the sales tax at the time of purchase of the personal property, but then submitting a refund request to the state in accordance with the applicable limits.

Authored By: Rep. Ron Stephens (164th)
House Committee: Ways & Means

Committee Action: 03-05-2015 Do Pass by Committee Substitute

Committee Meeting Schedule

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

Monday, March 09, 2015

10:00 AM	FLOOR SESSION (LD 28)	HOUSE CHAMBER
9:00 AM	RULES	341 CAP
1:00 PM	Life & Health Subcommittee of Insurance	506 CLOB
2:00 PM	LEGISLATIVE & CONGRESSIONAL REAPPORTIONMENT	415 CLOB
2:00 PM	MOTOR VEHICLES	606 CLOB
3:30 PM	EDUCATION	406 CLOB