



Georgia House of Representatives

DAILY REPORT40th
Legislative
Day

Thursday, April 2, 2015

House Budget & Research Office
(404) 656-5050House Communications Office
(404) 656-0305**Today on the Floor****Conference Committee Reports****HB 202 Revenue and taxation; provisions regarding ad valorem taxation, assessment, and appeal; provide comprehensive revision**

Bill Summary: This legislation seeks to significantly revise the process of appealing an ad valorem tax valuation. The bill authorizes the use of electronic tax bills with consent of the tax commissioner and the taxpayer, requires the 5-year history and proposed millage rate(s) to be published on the local government's website when one is available, and reduces the minimum time period between the notice of the proposed millage rate and five-year history published in the paper and the adoption of the millage rate from two weeks to one. Additional time is granted to the tax commissioners to submit the digest of their county to the Department of Revenue. The ability for multiple counties to form a regional assessor's office, to share staff and resources but additionally prohibits contractors providing valuation services to the Board of Assessors from providing advice or assistance to the Board of Equalization and requires contractors to receive training specified by the Department of Revenue. When appealing a non-homesteaded property, the threshold to use a hearing officer is lowered to \$750,000. The legislation would grant certain powers to county commissions to either appoint an appeal administrator or work with the Clerks of Superior Courts to better administer the appeals process, while imposing certain qualifications, educational requirements, and performance requirements on those who serve on Board of Equalization. The bill further clarifies the processes of appealing a valuation and at what point the case may enter the court system. The deadline for obtaining a mobile home location permit is moved from May to April 1 and increases the penalty for not having such permit. Lastly, the legislation requires the fair market value of real and personal property to be shown on the PT 61 real estate transfer form to ensure the appraised value for tax purposes the following year does not exceed to sale price of the property.

Authored By: Rep. Paul Battles (15th)**Rule Applied:** Structured**Conference Committee Reports**(Adoption of the conference committee report represents final House passage of the bill.)**HB 515 Tucker, City of; DeKalb County; incorporate****Bill Summary:** House Bill 515 authorizes a referendum to create the city of Tucker.**Authored By:** Rep. Billy Mitchell (88th)**Rule Applied:** Modified-Structured**Conference Committee Reports**(Adoption of the conference committee report represents final House passage of the bill.)**HB 520 LaVista Hills, City of; DeKalb County; incorporate****Bill Summary:** House Bill 520 authorizes a referendum to create the city of LaVista Hills.**Authored By:** Rep. Tom Taylor (79th)**Rule Applied:** Modified-Structured**Conference Committee Reports**(Adoption of the conference committee report represents final House passage of the bill.)**SB 4 Urban Redevelopment; provide for use of surface transportation projects; definitions; public contracts with private enterprises for completion****Bill Summary:** SB 4 clarifies existing urban redevelopment law to include a framework through

which the City of Atlanta and its associated redevelopment partners can leverage limited public resources for transportation to deliver high-quality, cost-effective projects more quickly and at a lesser cost through outsourcing to the private sector. The bill adds a new definition of surface transportation project to urban redevelopment law and lays out the requirements of procurement and bond issuance.

Authored By: Sen. Steve Gooch (51st)

Rule Applied: Modified-Structured

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

SB 100 Motor Vehicles and Traffic; provide for applicability with current federal reg. in the safe operations of motor carriers and commercial motor vehicles

Bill Summary: Senate Bill 100 is a housekeeping bill for the Department of Public Safety (DPS). It defines a "for hire intrastate motor carrier" as a person engaged in the transportation of goods or passengers for compensation wholly within the boundaries of Georgia.

It defines an "intrastate motor carrier" as any self-propelled or towed vehicle that is used on a highway in intrastate commerce to transport property or passengers and: has a gross vehicle weight or gross combination weight of 10,001 lbs. or more; is designed or used to transport more than ten passengers, including the driver, and is not used to transport passengers for compensation; or is used to transport hazardous materials in any quantity.

It requires that all intrastate motor carriers must register with the Department of Revenue (DOR). Prior to the initial registration, all intrastate motor carriers must also provide evidence to DPS of the completion of an educational and safety seminar. All for-hire intrastate motor carriers must now file a certificate of insurance with DOR in order to be issued a registration.

This bill also eliminates all mandatory driver's license suspensions for non-highway safety related or non-moving violations; however, the legislation does maintain suspension provisions imposed for failure to provide child support under the 'Child Support Recovery Act'. It eliminates the driving restrictions on an "Interlock Limited Driving Permit" as defined in Title 40.

It allows for organ donation on state issued I.D. cards.

It allows a driver cited for driving a motor vehicle with a suspended, cancelled, or revoked vehicle license to plead nolo contendere. The nolo plea can only be used once within a five-year period, which is measured from the date of the last previous offense resulting in a conviction or a nolo plea. Any other nolo plea within the time period will constitute a conviction.

The bill also provides for a 30-day temporary operating permit when a vehicle fails to pass federal emissions standards. Proof of valid insurance is still required.

Finally, it amends Title 40 as it relates to persons exempt from driver's license requirements by stating that any resident who is 15 years of age or over, while taking actual in-car training in a training vehicle, must be in a vehicle equipped with dual-controlled brakes and marked as a training vehicle.

It provides that the department shall not issue an instruction permit or driver's license to a person who is younger than 18 years of age, unless the applicant can prove at least one of the following, he or she: is enrolled in a public or private school and satisfies attendance requirements; is enrolled in a home education program and satisfies the reporting requirements; or has already received or is pursuing a high school diploma or general educational development (GED) diploma.

The department is also authorized to issue a limited driving permit to an applicant whose license is currently under suspension or revocation in any other jurisdiction.

It states that no noncommercial driver's license shall be issued to any person who does not have a visual acuity of 20/60, corrected or uncorrected, in at least one eye or better.

It states that the department shall, upon payment of the required fee, issue to every applicant qualifying for a driver's license that indicates: the type or general class of vehicles the licensee may drive; which

license shall be upon a form prescribed by the department; a driver's license number; a photograph of the licensee; the licensee's full legal name, and the licensee's signature. No license shall be valid until it has been signed by the licensee.

It states that the department shall suspend the license of any driver who fails to pay child support.

It states that the department shall suspend the driver's license or privilege to operate a motor vehicle in the State of Georgia of any person who has failed to respond to a citation to appear before a court of competent jurisdiction in this state or in any other state for a traffic violation other than a parking violation.

It provides that any person under the age of 21 who has been convicted of a hit and run or leaving the scene of an accident, racing on highways or streets, using a motor vehicle in fleeing or attempting to elude an officer, reckless driving, or any offense for which four or more points are assessable or illegally purchasing alcohol shall have their license suspended by the department. Any person under the age of 18 who has accumulated a violation point count of four or more points in any consecutive 12-month period shall also have their license suspended by the department.

It states that any person who is a habitual violator must be notified by the department that his or her driver's license has been revoked by operation of law and that it shall be unlawful for such habitual violator to operate a motor vehicle.

It grants limited driving permits for certain offenders solely for the following purposes: going to his or her place of employment/performing occupational duties; attending college or school at which he or she is regularly enrolled as a student; attending regularly scheduled sessions or meeting of treatment support organizations for persons who have addiction or abuse problems; and going for monthly monitoring visits with the permit holder's ignition interlock device service provider.

It states that the contents of personal identification cards must include: full legal name; address of residence; birth date; identification issue date; sex; height; weight; eye color; signature of person; and such other information required by the department.

It requires the contents of commercial drivers' licenses to include: full legal name; residential address; person's photograph; physical description including sex, height, weight, and eye color; date of birth; driver's license number; person's signature; class or type of commercial motor vehicle; state name; and dates the license is valid.

It mandates the contents of personal identification cards for persons with disabilities to include: full legal name; address of residence; birth date; date identification is issued and date when it expires; sex; height; weight; eye color; signature of person; and such other information as required by the department.

Authored By: Sen. Tyler Harper (7th)

Rule Applied: Modified-Structured

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

SB 127 Ethics in Government; provide for waivers of certain civil penalties and fees incurred by candidates for local elected office

Bill Summary: Senate Bill 127 provides for waivers of fines and fees incurred by candidates for local elected offices. Upon written request of a candidate, or in a response by the candidate to any notification from the State Elections Commission alleging noncompliance with filings required between January 1, 2010 and January 10, 2014, the commission shall be authorized to waive late fees, fines, and civil penalties incurred by candidates for public office.

It allows the House and Senate party caucuses to create political action committees.

After January 1, 2016, a person seeking qualification to run for public office shall not do so until all outstanding fines due to the Elections Commission have been paid.

Finally, it is a housekeeping bill for the Secretary of State's Office. It reflects the recommendations by the Georgia Elections Advisory Council.

Authored By: Sen. Rick Jeffares (17th)

Rule Applied: Structured

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

Motions to Agree

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: by the plaintiff's 23rd birthday; or 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 an action is filed before the plaintiff attains the age of 23 and the alleged perpetrator of the childhood sexual abuse was a volunteer or 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 a preponderance of the evidence.

If an action is filed after the plaintiff attains the age of 23 pursuant to the discovery rule and the alleged perpetrator of the childhood sexual abuse was a volunteer or 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 grossly negligent by a preponderance of the evidence (that the entity knew or should have known of the alleged conduct giving rise to the civil action and failed to take remedial action).

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)

Rule Applied: Modified-Structured

Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 48 Special license plates; include surviving spouse of a sibling of service member killed in action; extend eligibility

Bill Summary: House Bill 48 is the annual omnibus license plate bill. Section 1 relates to prestige license plates and special plates for certain persons and vehicles by adding a new Code section that states that any law enforcement officer, firefighter, emergency medical services personnel, ambulance driver, or other similarly employed public safety first responder who has sustained a major injury during his or her duties may apply to receive such special license plate. There is a one-time \$25

manufacturing fee and a \$35 yearly registration fee which shall be collected by the county tag agent.

Section 2 relates to free license plates and revalidation decals for certain disabled veterans by stating that any disabled veteran who is a citizen and resident of the State of Georgia shall be issued a free motor vehicle license plate upon application. The term "disabled veteran" means any veteran who was discharged under honorable conditions and who has been adjudicated by the United States Department of Veterans Affairs as being 100 percent disabled or as being less than 100 percent disabled but is compensated at the 100 percent level due to individual un-employability.

Section 3 relates to special and distinctive license plates for veterans by adding motorcycles to the list of vehicles able to receive such license plates.

Section 4 relates to special license plates honoring family members of service members killed in action by adding that a surviving spouse of such service member's sibling may apply for a Gold Star license plate.

Section 5 relates to special license plates promoting certain beneficial projects and supporting certain worthy agencies, funds, or nonprofit corporations by stating that no special license plates authorized pursuant to subsections (l), (m), and (n) of this Code section shall be issued except upon the receipt by the department of at least 1,000 prepaid applications along with manufacturing fees.

Section 6 relates to ad valorem taxation of property by relating to eligibility and filing requirements for homestead extension for a qualified disabled veteran but stating that any veteran who was discharged under honorable conditions and who has been adjudicated by the United States Department of Veterans Affairs as being 100 percent disabled (or is compensated at the 100 percent level) is entitled to receive a statutory award from the United States Department of Veterans Affairs.

Section 7 relates to constitutional exemption from ad valorem taxation for disabled veterans by stating that once a disabled veteran has established his or her eligibility for such ad valorem tax exemption by being 100 percent disabled, he or she shall be entitled to receive such ad valorem tax exemption in succeeding years thereafter but must furnish proof of such disability through a letter from the United States Department of Veterans Affairs. If a disabled veteran's disability has not been adjudicated at 100 percent total disability, he or she shall be entitled to such ad valorem tax exemption in succeeding years upon furnishing, on an annual basis, proof of their disabled status from the United States Department of Veteran Affairs. In the event of the death of a disabled veteran who received such tax exemption, his or her unmarried surviving spouse or minor child may continue to receive the exemption.

Finally, it provides for a distinctive license plate for members of the Georgia State Defense Force. The plate will be issued free of charge.

Authored By: Rep. Brooks Coleman (97th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 63 Georgia Employer GED Tax Credit Act of 2015; enact

Bill Summary: HB 63 revises the basic skills education program's income tax credit by allowing for a \$400 credit to the employer when that employer pays for an employee to take the GED test through the Technical College System of Georgia, or a \$1,200 credit when that employer also gives paid time off to the employee to prepare for the GED.

Authored By: Rep. Kevin Tanner (9th) **Rule Applied:** Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 70 State symbols; designate gray fox as official state mammal

Bill Summary: House Bill 70 designates the whitetail deer as the official state mammal.

Authored By: Rep. Carolyn Hugley (136th) **Rule Applied:** Structured

Motions to Agree(A motion to agree represents final passage of the bill.)

HB 71 Pardons and paroles; provide input and transparency relative to granting a parole or commutation of a death sentence to a life sentence; provisions

Bill Summary: This bill imposes several requirements on the State Board of Pardons and Paroles. The bill changes procedures for notifying a victim of an impending parole, pardon, release of an inmate, or request to commute a death sentence. Moreover, the bill defines what constitutes a serious offense regarding providing clemency for an individual. The bill also allows information regarding a person who has previously been paroled but whose civil rights have been restored to be released publicly. Next, the bill requires that a written decision granting a pardon or commuting a death sentence contain certain additional information. The bill also requires that the Board, when considering any case within its power, to consider certain additional information about the person in question. Finally, it requires the Board to release certain information upon request and adds to the list of information required to be disclosed.

Authored By: Rep. Kevin Tanner (9th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 72 Crimes and offenses; protection of disabled adults and elder persons; expand and clarify

Bill Summary: HB 72 adds the definition for "mentally or physically incapacitated" as an impairment that substantially affects an individual's ability to provide for their own: personal protection, necessities (food, shelter, clothing, medical, or other health care), completion of daily activities, or management of their own resources.

This bill also precludes a private cause of action under subsection (b) or (c) of Code Section 16-14-6 against an owner, agent, or employee of a long-term care facility but will not limit the criminal or civil remedies available to the state.

Venue changed to provide that any violation will be considered to have been committed in any county where the violation occurred and any county where the victim resides.

The bill also adds a violation of Article 8 of Chapter 5 of Title 16, relating to protection of elder persons, to the list of offenses that constitute racketeering activity.

When the alleged victim is 65 years of age or older ("elder person") or is 18 or older and is mentally or physically incapacitated, has Alzheimer's, or has dementia ("disabled person"), the prosecuting attorney may seek preferred scheduling, but must notify the accused, in writing, if it intends to do so. Such notice must allege the factors which would prohibit the disabled adult from attending court proceedings, or state the age of the alleged victim if the victim is an "elderly person." After notice has been given, a hearing on the request must be conducted within 14 days. If the court determines that preferred scheduling is needed, the trial must be no earlier than 30 days from the hearing date and is not required to be called on the criminal docket pursuant to O.C.G.A. § 17-8-1(a).

This bill defines "investment company" to mean an individual, business entity, or any organized group of persons that is engaged or proposes to engage in: the business of effecting securities transactions; the business of issuing securities or has been so engaged and has any outstanding certificates; the business of advising others as to the value of securities, the advisability of investing in, purchasing, or selling securities or that, for compensation, issues or promulgates analysis or reports concerning securities. This bill requires employees of these "investment companies" who have reasonable cause to believe that a "disabled adult" or "elder person" has been exploited to report such exploitation to an adult protection agency and to an appropriate law enforcement agency or prosecuting attorney.

Those employees acting as a fiduciary, as defined in OCGA §7-1-4, are exempt from this obligation, but only for such assets that the employee is holding/managing in a fiduciary capacity.

When a report that a disabled adult or elder person is in need of protective services or has been abused, neglected, or exploited is made to an adult protection agency, the agency must immediately make a

reasonable determination as to whether the incident alleges actions that constitute a crime and include that information in the report. If a crime is suspected, the agency must immediately forward a report to an appropriate law enforcement agency. The agency must also report any evidence of a crime that it discovers during its investigation. When a report is originally made to a law enforcement agency, the agency must forward the report to the director or his designee within 24 hours of receipt.

For the purposes of these reporting requirements, "disabled person" means a person, 18 or older, who is not a resident of a long-term care facility, but who is mentally/physically incapacitated or who has Alzheimer's or dementia. An "elder person" means a person, 65 or older, who is not a resident of a long-term care facility. If a person is a resident of a long-term care facility, the report must be made in accordance with Article 4 of Chapter 8 of Title 31.

If a person is convicted of the felony offense of running an unlicensed personal care home in conjunction with abuse, neglect, or exploitation (O.C.G.A. §31-7-12.1), that conviction will constitute a "crime" for the purposes of O.C.G.A. §31-2-9 which will preclude an owner from obtaining a license to operate a facility.

This bill also changes the provisions regarding applications for and executions of inspection warrants. The commissioner of The Department of Community Health, his/her designee, or any person authorized to make inspections for the commissioner must make an application to a judicial officer as defined in O.C.G.A. §17-5-21. The warrant may only be issued upon cause and when supported by an affidavit that describes the place to be inspected, the purpose of the inspection, and a statement that either consent has been sought and refused or describes why consent was not sought. Cause sufficient to justify an inspection warrant can be based on: reasonable legislative or administrative standards for conducting an inspection are satisfied with respect to a particular establishment; or reasonable belief that nonconformity exists.

An inspection warrant will only be effective for the time specified on the search warrant, but not for more than 14 days unless the judicial officer who issued the warrant extends the warrant upon satisfaction the extension is in public interest. Unless executed before this time period, the inspection warrant will be void.

The warrant may be executed at any time deemed appropriate by the person executing it, but whenever possible, must be made during business hours. The warrant should not be executed if the owner is not present unless authorized by the judicial officer upon a showing that it is reasonably necessary to effectuate the purpose of the law being enforced. The person executing the warrant cannot enter forcibly unless it can be shown that: there is a reasonable suspicion that a violation, if it existed, would be an immediate threat to health or safety; or previous attempts to serve it were unsuccessful.

An inspection warrant may be executed without notice to the owner when prior consent has been sought and refused and an "investigation warrant" has been issued.

An owner, operator, or employee of a place being inspected pursuant to an inspection warrant will be guilty of a misdemeanor if they refuse to allow such inspection.

The bill removes language in current law that precludes the use of facts or evidence discovered through the execution of an inspection warrant as evidence in any criminal proceeding against any party.

Current law provides civil immunity from any person who renders "emergency care" to a person at the scene of an accident. This bill clarifies that emergency care will include the rescue of an incapacitated or endangered individual from a locked motor vehicle. The bill also clarifies that a person providing emergency care in these situations will have a defense of justification under O.C.G.A. §16-3-20.

Authored By: Rep. Wendell Willard (51st) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree as amended sent this bill back to the Senate for consideration.)

HB 85 Alcoholic beverages; sale or furnishing to patients or inmates of Central State Hospital and sale or possession near or upon the grounds; change certain provisions

Bill Summary: HB 85 regulates the furnishing of alcohol in certain areas, including prisons and hospitals. This act prevents the solicitation of alcohol with any person in lawful confinement and does not allow possession within 200 yards of such designated institutions.

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

HB 99 Property; joint tenants divorce or have marriage annulled under certain circumstances; provide tenancy in common

Bill Summary: In many divorce actions in which the parties represent themselves, the parties' interests in jointly held property is not properly divided. HB 99 allows divorced couples to convert a joint tenancy with right of survivorship into a tenancy in common if either spouse files an affidavit in the county property records containing a statement that the parties have divorced or their marriage has been annulled.

Authored By: Rep. Eddie Lumsden (12th) **Rule Applied:** Modified-Open
Motions to Agree(*A motion to agree as amended sent this bill back to the Senate for consideration.*)

HB 106 Highways; revise what constitutes part of the state highway system; provisions

Bill Summary: House Bill 106 authorizes counties to impose a transportation special purpose local option sales and use tax of up to one percent, subject to voter approval. The proceeds must be used for transportation purposes.

Authored By: Rep. Jay Roberts (155th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree as amended sent this bill back to the Senate for consideration.*)

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

Bill Summary: HB 110 legalizes and sets parameters for the distribution, transportation and retail sale of consumer fireworks. The legislation defines consumer fireworks in accordance with the regulations set forth by the United States Consumer Product Safety Mission. It is now lawful in the state of Georgia for any person over the age of 18 years old to use, detonate, possesses, manufacture or transport consumer fireworks.

Use of consumer fireworks is permitted without a license between the hours of 10:00 a.m. and 12:00 a.m. in any location not prohibited by law. Locations specifically prohibited by law include locations where the user is a trespasser, where law specifically prohibits, and locations within 100 feet of a gas station or a nuclear power facility.

The legislation also outlines requirements for the sale of consumer fireworks. Permanent consumer fireworks stores may be opened in accordance with NFPA 1124 and they must have a valid license as a distributor. Individuals ages 16 or 17 may sell or transport fireworks if they are serving as an assistant to a licensed distributor unless they are driving on an interstate. The initial fee for distributing fireworks will be \$5,000, with a \$1,000 annual renewal fee, payable to the Safety Fire Commissioner. Each distributor must carry a minimum of \$2 million dollars of liability insurance.

Temporary fireworks stands may be operated by distributors or non-profit groups if they are licensed and located within 1,000 feet of a fire hydrant or co-located with a permanent store. No licensed distributor can operate more than two temporary stands per permanent fireworks store. In counties without a permanent store, a licensed distributor located within 75 miles of the counties border may operate one of their two allotted temporary stores in that county. The license fee for operating a temporary fireworks store is \$500 per year, per location and must expire 90 days after the license is issued.

The legislation also imposes an excise tax on the sale of consumer fireworks at a rate of five percent

per item sold. The tax must be paid by the seller, who is subject to a \$10,000 fine for non-compliance, in addition to the tax.

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

HB 117 Employment security; modify definition of the term most recent employer; change certain provisions

Bill Summary: House Bill 117 relates to employment security and is the annual "housekeeping" bill for the Georgia Department of Labor. It clarifies who is meant as "the most recent employer" as it pertains to unemployment insurance law. It increases the statute of limitations, from four years to seven years, which is the amount of time the commissioner of the Department of Labor has to collect over payments on claims or claims that were otherwise erroneously collected. Finally, it provides an exception within the unemployment code that would allow victims of family violence to voluntarily leave their jobs and still collect benefits. Unlike other claims, these claims would be charged to the unemployment insurance fund rather than the employer of the victim.

Authored By: Rep. Mark Hamilton (24th) **Rule Applied:** Modified-Open
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 152 Alcoholic beverages; holders of certain alcohol licenses and those who issue such licenses; impose certain requirements

Bill Summary: HB 152 pertains to employees working within the vicinity of alcohol as a primary source of business. The Act includes disciplinary measures and general employment specifications. Regarding disciplinary action, the commissioner of the Department of Revenue provides policies each county and municipality should implement and may fine them \$750 per time the policy is not in compliance. Regarding employment, persons under 18 are restricted from working at establishments, like bars, where alcohol consumption plays an integral role; however, establishments including breweries, supermarkets, and convenience stores are allowed employers for this age group. Persons under 21 cannot serve as a bouncer for a bar unless they are a component of the United States Armed Forces. This Act does not include major sporting stadiums.

Authored By: Rep. Geoff Duncan (26th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree as amended sent this bill back to the Senate for consideration.*)

HB 162 Insurance; provide for insurance compliance self-evaluative privilege; provisions

Bill Summary: House Bill 162 allows insurance companies to self-evaluate for the purposes for compliance with Georgia statute. By self-policing, the state and the insurance companies are saved the cost of unnecessary regulatory oversight. The results of the audit from the self-evaluation are protected from public disclosure absent a court order.

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

HB 190 Insurance; provide requirements for transportation network companies and their drivers; provisions

Bill Summary: House Bill 190 establishes the standards and requirements for automobile insurance for transportation network companies (TNC)(Uber, Lift) and their drivers. Currently, the policy carried by these drivers for their automobiles does not cover commercial activity. This legislation requires TNCs to maintain a primary motor vehicle insurance policy that:

1. Recognizes the driver as a TNC driver and explicitly covers the driver's provision of TNC services;
2. Provides a minimum of \$100,000 for bodily injuries to, or death of, all persons in any one accident; with a maximum of \$50,000 for bodily injuries to or death of one person; and \$50,000 for loss of or damage to property of others, excluding cargo, in any one accident, during the time a driver is logged on to the TNC's digital network and available to accept a ride request until the driver is logged off.

This coverage is required in the absence of any other liability coverage with such minimum limits; and 3. Provides a minimum of \$1 million for death, personal injury, and property damage per occurrence and provides uninsured and underinsured motorist coverage of at least \$1 million per incident during the time a driver accepts a ride request on the TNC's digital network until the driver completes the transaction or the ride is complete, whichever is later.

Authored By: Rep. Rich Golick (40th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 192 Local government; counties, municipal corporations, school districts, and consolidated governments be reimbursed for expenses only through submission of expense reimbursement requests; provisions

Bill Summary: House Bill 192 adds a new Code section that relates to the general provisions regarding counties, municipal corporations, and other governmental entities. It states that an elected official of a county, municipal corporation, local school system, or consolidated government shall be prohibited from the use of a government purchasing or credit card unless such purchases are solely for items or services relating to such official's public duties and in accordance with guidelines that are adopted by the county, municipal corporation, local school system, or consolidated government.

Purchases made by a government purchasing or credit card shall be available for public inspection and each county, municipal corporation, local school system, or consolidated government must promulgate specific policies regarding the use of government purchasing or credit cards no later than January 1, 2016; with such policies to include: a designation of officials who may use purchasing or credit cards; a requirement that authorized users must sign a cardholder agreement; transaction limits; a description of purchases that shall be and shall not be authorized; designation of a card administrator; a process for auditing and reviewing purchases made; and procedures and penalties for addressing violations made with such cards.

Authored By: Rep. Alan Powell (32nd) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree as amended sent this bill back to the Senate for consideration.*)

HB 206 Uniform rules of the road; procedure for passing sanitation vehicles; provide

Bill Summary: House Bill 206 relates to the general provisions relative to uniform rules of the road and is amended by adding a new Code that states that the operator of a motor vehicle approaching a vehicle with active sanitation workers that is displaying flashing yellow, amber, white, or red lights shall approach the vehicle with due caution and shall, absent any other direction by a peace officer, proceed as follows:

- (1) Make a lane change into a lane not adjacent to the vehicle; or
- (2) If lane change is not possible, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be at least ten miles per hour less than the posted speed limit, and be prepared to stop.

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

HB 209 Georgia Special Needs Scholarship Act; prior school year attendance requirement to prior semester; revise

Bill Summary: House Bill 209 amends the Special Needs Scholarship to require specific written notice of the options available under the scholarship to parents of children with a Individualized Education Program annually.

Authored By: Rep. Wesley Cantrell (22nd) **Rule Applied:** Modified-Open
Motions to Agree(*A motion to agree represents final passage of the bill.*)

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

Authored By: Rep. Mike Jacobs (80th) **Rule Applied:** Modified-Open
Motions to Agree: (A motion to agree as amended sent this bill back to the Senate for consideration.)

HB 233 Georgia Uniform Civil Forfeiture Procedure Act; enact

Bill Summary: House Bill 233, the 'Georgia Uniform Civil Forfeiture Procedure Act' (UCFPA), increases transparency and oversight in the civil forfeiture process by strengthening the mandatory reporting requirements of all law enforcement agencies, standardizes civil forfeiture procedure statewide, and collects the disparate provisions into one uniform procedure to be followed for almost all civil forfeitures.

The UCFPA provides for due process safeguards to assist innocent owners in recovering seized property. The Act simplifies the standard for initiating a claim to recover wrongfully seized property, reducing the likelihood that procedural pitfalls will deprive innocent owners of an action to recover their property. A provision of the Act allows the judge in a civil forfeiture action to grant either party additional opportunity for investigation into the facts and issues involved. Additionally, it permits anyone who has a claim to the seized property to appear before the court to defend his or her interest. The Act eliminates imposition of the State's litigation costs on an unsuccessful forfeiture claimant.

The Act strengthens and standardizes the mandatory reporting requirements of all law enforcement agencies by requiring agencies to provide an accounting of all property and funds derived from seizures and forfeitures. The UCFPA defines the specific purposes for which law enforcement agencies may use forfeited proceeds. Payment of salaries or rewards to law enforcement officers would not be considered an authorized expenditure. The Act resolves ambiguities in reporting procedure by authorizing the creation of a standardized reporting form and placing the duty to submit the form annually on all law enforcement agencies, which have control over expenditure of any forfeiture proceeds.

The bill also disqualifies certain individuals involved in pending criminal cases from serving on a grand jury. Currently, the only individuals ineligible for service are those convicted of a felony who have not had their civil rights restored and those who have been judicially determined to be mentally incompetent.

The bill adds to the list of those ineligible to serve on a grand jury to include the following: an individual in any pretrial release program, pretrial release and diversion program, or pretrial intervention and diversion program (including a similar program in another state or similar federal court program); an individual sentenced under the first-offense controlled substances conditional discharge statute (Code section 16-13-2) who has not completed the terms of his or her sentence; an individual serving a first-offender sentence pursuant to Georgia law or the law of another state; and an individual participating in a drug court division, mental health division, or veterans court division court program (or a similar program in another state or a similar federal court program).

The bill specifies that if an indictment is returned and a grand juror was ineligible to serve based upon any of the grounds stated above, the indictment will not be quashed solely as a result of such ineligibility.

Authored By: Rep. Alex Atwood (179th) **Rule Applied:** Modified-Structured
Motions to Agree: (A motion to agree represents final passage of the bill.)

HB 266 Retirement and pensions; investment authority of local retirement systems; correct certain provisions

Bill Summary: HB 266 amends O.C.G.A. 47-1-12 relating to investment and reinvestment of assets of local retirement systems, valuation and limitation on investments, and duties of the state auditor. The bill refers the terms, conditions, limitations, and restrictions from "the laws of this state upon domestic life insurance companies" to the code section relating to "Public Retirement Systems Investment Authority" (Article 7 of Chapter 20 of Title 47). HB 266 has been certified as a nonfiscal retirement bill by the Georgia Department of Audits and Accounts.

Authored By: Rep. Paul Battles (15th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 268 Child abuse; mandatory reporters; change provisions

Bill Summary: This legislation strengthens the laws requiring mandatory reporting of child abuse by certain types of employees. It requires individuals who are employees or volunteers in a location where their duty is to attend to a child, such as a school, hospital, or social agency, to report to the person in charge of that facility whenever they receive reliable information that child abuse has occurred. The individual in charge of the institution, or the person delegated to receive the report, may not exercise control over the person writing the report or make any change to the information that is provided to them. Prior to receiving the report, they may be consulted and may provide additional relevant information. The bill also allows reports to be filed by telephone, email, or facsimile. Oral reports must be followed with a written report. The initial report must be filed within 24 hours from the time there is a reasonable suspicion of abuse.

Authored By: Rep. Mandi Ballinger (23rd) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 279 Public officers and employees; annual salaries of Supreme Court Justices, Court of Appeals, superior court judges and district attorneys; repeal provisions

Bill Summary: HB 279 provides for a base salary increase for the justices of the Supreme Court, judges of the Court of Appeals, judges of the Superior Courts, district attorneys, and circuit public defenders, a state salary supplement for specified judges of the superior courts, specified district attorneys, and specified circuit public defenders, a per diem to be provided to specified justices of the Supreme Court and specified judges of the Court of Appeals, the addition of three judgeships in the Court of Appeals, an additional Superior Court judgeship in the Western Circuit, and the creation of the Judicial, District Attorney, and Circuit Public Defender Compensation Commission.

The justices of the Supreme Court base salaries are increased to \$175,600; the judges of the Court of Appeals salaries are increased to \$174,500; the judges of the Superior Courts salaries are increased to \$126,265; the district attorney's salaries are increased to \$120,072; and the circuit public defender's salaries are increased to \$99,526. If funds are appropriated, all state salary supplements and salary enhancements are effective January 1, 2016.

All Superior Court judges, district attorneys, and circuit public defenders in a circuit with a drug court division, mental health court division, or veterans court division accountability court shall receive a state salary supplement of \$6,000. The bill also states that state salary supplements shall not be included when a local law provides for a salary to be based on a percentage of a Superior Court judge's salary, district attorney's salary, or a circuit public defender's salary.

If a justice of the Supreme Court or a judge of the Court of Appeals resides 50 miles or more from the judicial building in Atlanta, that Justice or Judge shall receive the same daily expense allowance as members of the General Assembly for not more than 30 days per term of court.

Three additional Court of Appeals judgeships are created. The new judgeships shall be effective January 1, 2016.

A fourth Superior Court judgeship is created in the Western Circuit. The new judgeship shall be

effective April 1, 2016.

The Judicial, District Attorney, and Circuit Public Defender Compensation Commission is created. The commission shall be composed of five members to be appointed by the Governor, the Chief Justice of the Supreme Court, the Lieutenant Governor, and the Speaker of the House of Representatives. The commission shall meet not less than twice a year and issue its first report on or before December 15, 2015, a second report on or before December 15, 2016, and at least every two years thereafter.

Authored By: Rep. Jay Powell (171st) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree as amended sent this bill back to the Senate for consideration.*)

HB 308 Income tax; revise tax credit for rehabilitation of historic structures; provisions

Bill Summary: HB 308 extends the limitation on tax credits for the historic preservation tax credit. Current law allows for a maximum amount of tax credits for a certified structure to be limited to \$300,000. The legislation would raise the cap to \$5 million per project, but if the project creates 200 jobs, the cap of credits would be \$10 million per project. The legislation also places a cap on the total program cost of \$25 million per year for all projects other than historic homes. For credit other than historic homes, the credits that are created may be transferred; however, after the credits have been transferred they can no longer be transferred again.

Authored By: Rep. Ron Stephens (164th) **Rule Applied:** Structured
Motions to Agree(*A motion to agree as amended sent this bill back to the Senate for consideration.*)

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.

The bill also clarifies provisions in Title 44 regarding the number and type of witnesses required to execute and record certain security instruments. A 2013 Georgia Supreme Court decision (*Wells Fargo Bank v. Gordon*, 292 Ga. 474) interpreted the current law to require attestation of a security deed by both an official witness and an unofficial witness, although the current language allows for acknowledgment as well as attestation.

The bill removes the acknowledgment provisions to clarify that only attestation will suffice in recording and executing mortgages, security deeds, and bills of sale to secure debt. The bill replaces circular, ambiguous language with clearly delineated requirements for execution and recordation of these security instruments, and also removes some outdated terminology.

Authored By: Rep. Brian Strickland (111th) **Rule Applied:** Modified-Open
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 339 Income tax credit; film, video or digital production; extend

Bill Summary: HB 339 is a three-year extension to the Qualified Interactive Gaming tax credit. The

legislation also requires certain reporting requirements to be delivered to the chairs of the House Ways and Means Committee and the Senate Finance Committee.

Authored By: Rep. Jon Burns (159th) **Rule Applied:** Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 341 Buildings and housing; certain qualified inspectors may be certified by Building Officials' Association of Georgia; provide

Bill Summary: HB 341 amends the definition of "qualified inspector," regarding state buildings, plumbing, and electrical codes, to include inspectors who have a certification from the Building Officials' Association of Georgia.

Authored By: Rep. Howard Maxwell (17th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

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
Motions to Agree(A motion to agree as amended sent this bill back to the Senate for consideration.)

HB 374 Ad valorem tax; certain farm equipment held for sale in dealer inventory; exempt

Bill Summary: HB 374 clarifies the definition of farm equipment to include forestry machinery as equipment that is exempted from ad valorem taxation while held in a dealer's inventory.

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

HB 395 Professions and businesses; provide definition for term psychological testing; provisions

Bill Summary: HB 395 revises Code Section 43-39-1, relating to definitions relative to psychologists, by adding the definition of "mental abilities," "neuropsychological functioning," "personality characteristics," and "psychological testing." Additionally, this bill expands the scope of practice for psychologists to include psychological testing.

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

HB 426 Sales and use tax; provide new exemption only for limited period of time regarding tangible personal property to certain nonprofit health centers; provisions

Bill Summary: HB 426 provides for a two-year sales tax exemption for certain non-profit health centers. The exemption will run from July 1, 2015 through June 30, 2017. The specific health centers that qualify for the exemption are federally qualified nonprofit health centers (FQHCs) and nonprofit volunteer health clinics. Additionally, the legislation requires that any clinic taking the exemption must submit certain data to the Department of Revenue.

Authored By: Rep. Darlene Taylor (173rd) **Rule Applied:** Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

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 and submitting a refund request to the state in accordance with the applicable limits.

Authored By: Rep. Ron Stephens (164th) **Rule Applied:** Structured
Motions to Agree(*A motion to agree as amended sent this bill back to the Senate for consideration.*)

HB 429 Insurance; no health benefit plan shall restrict coverage for prescribed treatment based upon insured's diagnosis with a terminal condition; provide

Bill Summary: House Bill 429 provides that no health benefit plan shall restrict coverage for prescribed treatment based upon the insured's diagnosis with a terminal condition. It further states that that treatment would not constitute assisted suicide.

It enacts Ava's Law that requires any individual or small group health insurance policy sold in this state to provide coverage for the treatment of Autism Spectrum Disorder.

Authored By: Rep. Ron Stephens (164th) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 436 Georgia HIV/Syphilis Pregnancy Screening Act of 2015; enact

Bill Summary: HB 436 requires a physician or health care provider who provides prenatal care to a pregnant woman to also offer to test her for HIV and syphilis during her third trimester of pregnancy. Further, if at the time of delivery there is no written evidence that an HIV or syphilis test has been performed, the physician shall order such a test.

Authored By: Rep. Valerie Clark (101st) **Rule Applied:** Modified-Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

HB 439 Georgia New Markets Jobs Act; enact

Bill Summary: House Bill 439 creates the 'Georgia New Market Jobs Act,' which allows insurance companies to make investments in qualified small businesses in low-income communities.

Section 2 of the bill creates the Invest Georgia tax credit. It allows for the regulation and sale of \$55 million of tax credits to qualified companies. The purchaser of a tax credit owns a vested right to credit against the taxpayer's state premium tax liability.

Authored By: Rep. Jason Shaw (176th) **Rule Applied:** Modified-Open
Motions to Agree(*A motion to agree as amended sent this bill back to the Senate for consideration.*)

HB 457 Ad valorem tax; watercraft held in inventory; exempt

Bill Summary: HB 457 provides for an exemption from ad valorem taxes for watercraft which are held in inventory by dealers. The exemption would apply for calendar years beginning on or after January 1, 2016.

Authored By: Rep. Lee Hawkins (27th) **Rule Applied:** Structured
Motions to Agree(*A motion to agree represents final passage of the bill.*)

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

HB 470 The Pharmacy Audit Bill of Rights; change certain provisions

Bill Summary: House Bill 470 amends "The Pharmacy Audit Bill of Rights". It provides that the commissioner of the Department of Insurance will have regulatory oversight of Pharmacy Benefit Managers (PBMs) doing business in Georgia.

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

HB 475 Game and fish; hunting of feral hogs; revise provisions

Bill Summary: HB 475 amends Title 27, relating to game and fish, to allow for the hunting, trapping, and transporting of feral hogs and for other purposes. The bill establishes that a feral hog transport permit may be issued to authorize the transport of live feral hogs directly to slaughter. The bill also establishes that a wildlife control permit may be issued to authorize the hunting or trapping of feral hogs from within or while on a motor vehicle by a Georgia resident without a hunting or trapping license, if such hunting occurs on premises owned or leased by his or her immediate family and is used primarily for raising or harvesting crops other than timber or for containing livestock or poultry, and, except during deer season, at night with a light. The firearm restriction on hunting feral hogs is removed and the shotgun shell capacity restriction for hunting deer and bear is removed.

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

HB 502 Elementary and secondary education; update and clarify provisions and repeal obsolete provisions

Bill Summary: HB 502 repeals, amends, and revises Title 20:

1. Repeals subsection (d) of Code Section 20-2-51. Subsection (d) prohibits any county board of education member in a county with a population between 500,000 and 600,000, according to most recent census data, from holding another elective government office.
 - 1A. Changes the title of status quo school systems currently in law and replaces it with electing not to request increased flexibility pursuant to this article.
 - 1B. Changes the title of IE2 school systems to strategic waivers school systems.
2. Amends O.C.G.A. 20-2-82 by removing the ability of the State Board to offer waivers of teacher evaluations for local school systems, as defined in O.C.G.A. 20-2-210.
 - 2A. Changes the title of IE2 school systems to strategic waivers school systems.
3. and 4. Clarifies that the state mandates content standards, not curriculum.
5. Amends O.C.G.A. 20-2-140.1 by adding that students can register for online learning through the clearing-house established pursuant to Code Section 20-2-319.3.
6. Revises language reflecting content standards, deletes language such as competencies and core curriculum.

- 6A. Allows for local boards of education to require all students to complete and pass a course covering the founding philosophy and principles of the United States of America before graduation. The code section also specifies what the curriculum concerning the philosophy and principles should include.
7. Clarifies the state mandates content standards and makes first grade readiness report by the State School Superintendent optional instead of mandatory.
8. Clarifies that the state mandates content standards and repeals language regarding the middle grades program.
9. 10. 11. and 12. Revises language reflecting content standards, deletes language such as competencies and core curriculum.
13. 14. 15. and 16. Repeals all language pertaining to the middle grades program.
17. Clarifies the state mandates content standards, not curriculum.
18. Amends Code §20-2-205 to require all virtual school teachers, including out of state, to get certified by the Professional Standards Commission if they provide instruction to public schools in GA.
19. Amends Code §20-2-241 allowing the State School Superintendent to authorize the CFO to enter into contracts of \$50,000 or less on behalf of DOE.
20. Clarifies the state mandates content standards, not curriculum.
21. Amends O.C.G.A. 20-2-82 by removing the ability of the State Board to offer waivers of teacher evaluations for local school systems, as defined in O.C.G.A. 20-2-210.
22. Adds a new Code section, §20-2-244.1 which sets out definitions for students, substantial hardship, variance, and waiver. This Code section also outlines the authority of the State Board of Education to grant waivers and variances.
23. Clarifies the state mandates content standards, not curriculum.
24. Clarifies the state mandates content standards, not curriculum. Revises O.C.G.A. 20-2-281 as it relates to assessments. Writing performance shall be assessed, at a minimum, for students in grades 5, 8, and 11, but additional grades levels may be designated by the State Board of Education. The state board will develop or adopt an alternate assessment for students with significant cognitive disabilities pursuant to Code Section 20-2-140. Deletes outdated language in section (k)(2). Allows kindergarten teachers the opportunity to participate in a staff development program regarding tests. Adds end-of-course assessments for science and social studies for grades 3-8. Revised language from 'tests' to 'instruments'. Amends section (c) to clarify that State Board of Education has the authority to condition the awarding of high school diploma on end-of-course assessments. Allows the State Board of Education to consider an approved COMPASS score when considering a waiver for the high school graduation test. Deletes language referencing the High School Graduation Test.
25. Deletes language that was specific to the middle school program as both the middle school program and middle grades program are being funded in the same category now. Allows 'satisfactory business experience' to be considered as a minimum qualification for the school administrative manager position.
26. Reflecting the Executive Order by the Governor in 2013 to move the Governor's Honors Program to the Office of Student Achievement.
27. Clarifies the state mandates content standards, not curriculum.
28. Revises O.C.G.A. 20-2-315 by making the publication and distribution of the GaDOE annual report regarding expenditures and participation for each gender optional.
- §9. O.C.G.A. is amended to reflect current funding. Private and home-schooled students may enroll at no cost if appropriations are provided. If appropriations are not provided they may enroll at a cost not to exceed \$250 per semester. Local systems are responsible for paying for their enrolled students, and if that student enrolls in more than the maximum number of courses, then the student is subject to the cost of tuition not to exceed \$250 per semester.
30. and 31. Eliminate duplicate language from two online clearing-house bills passing in the same year.
32. Reserved.
33. and 34. Clarifies the state mandates content standards, not curriculum.
35. Amends O.C.G.A. 20-2-690, which would require the declaration of intent to utilize the home study program to also include the local school system in which the home study program is located.
36. and 37. If local employers do not contribute their share to the health insurance fund, the State Board of Education will only withhold enough funds to pay the obligation, rather than withholding all the funds. Those funds will be transmitted to the Department of Community Health.
38. Currently, the local board has until April 15th to serve a teacher with a nonrenewal notice and

teachers have until May 1st to inform the local board of their intentions not to renew. This section extends those deadlines from April 15th to May 15th and from May 1st to June 1st.

38A. This Code section encourages school systems to pronounce the first full week in September, which includes Constitution Day, as Celebrate Freedom Week.

39. This section amends the O.C.G.A. to give the State Board of Education the authority to affirm, reverse, remand, or refer to mediation a local board tribunal decision that has been appealed to the state board.

40. Amends O.C.G.A. 20-2-2065 so that charter schools cannot waive the teacher performance evaluation provisions of O.C.G.A. 20-2-210.

41. Amends O.C.G.A. 20-2-2067.1 to change the date that charter schools are required to submit their annual report detailing progress.

42. Revises O.C.G.A. 20-2-2084 by increasing the time frame a local board has to approve or deny a charter school petition to 90 days. A local board currently has 60 days to approve or deny a petition.

43. Repeals an obsolete population bill.

Authored By: Rep. Mike Dudgeon (25th) **Rule Applied:** Modified-Structured
Motions to Agree(A motion to agree represents final passage of the bill.)

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

HB 510 Georgia Sports Commission Fund; create; provisions

Bill Summary: HB 510 amends Chapter 34 of Title 50 to provide for the creation of the Georgia Sports Commission Fund. More specifically, the bill allows any registered sporting commission to apply for and receive grants from the Georgia Sports Commission Fund for expenses related to the registered commission's sporting activity. The bill permits the Georgia Sports Commission Fund to receive funding from any source allowable by law except for funding from settlements involving lawsuits against tobacco companies. The bill also outlines the fund's accounting procedures and procedures for the appointment of the fund's committee.

Authored By: Rep. Ron Stephens (164th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 511 Pharmacists and pharmacies; technicians to fill remote automated medication systems in skilled nursing facilities and hospices; authorize

Bill Summary: HB 511 allows a pharmacy technician to fill a remote automated medication system. If the remote automated medication system uses radio frequency identification (RFI) in the filling process, the pharmacy must retain an electronic record of the filling activities. If the system does not use RFI, the pharmacist must supervise the pharmacy technician during the filling process.

Authored By: Rep. Ron Stephens (164th) **Rule Applied:** Modified-Open
Motions to Agree(A motion to agree represents final passage of the bill.)

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

HB 552 Insurance; provide changes to the captive insurance company provisions; add definitions

Bill Summary: House Bill 552 modifies Georgia's insurance law as it relates to captive insurance companies. It allows for "pure" captives as defined in O.C.G.A. 33-41-2 and provides for reduced rates on premium taxes for pure captive companies.

Part II of this bill establishes federal home loan bank rights regarding collateral pledged by an insurer-member subject to a delinquency proceeding. Additionally, it provides for certain limitations for a receiver to void a transfer of certain property in connection with any federal home loan bank security agreement.

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

HB 568 Paternity; testing in certain cases; revise provisions

Bill Summary: HB 568 requires DNA testing in all new child support cases in Georgia. The legislation allows Georgia to receive block grants from the federal government. If the genetic testing excludes the alleged father from being the actual father of a child, the Department of Health Services will reimburse for the genetic testing fee. Also, if an alleged father is already paying child support, that individual can petition for a DNA test to determine paternity. If the test shows that the alleged father is not the biological father, he is relieved from the duty to pay child support going forward and any payments in arrears are forgiven. The genetic tests administered to the alleged father shall not be attached to any pleading or court order. Moreover, the results of such tests shall not be shared with any other person or entity and are to be destroyed within six months of said tests. Within 30 days of the destruction of the genetic material, notice must be given to the alleged father confirming the destruction. Violation of this code section by the department will give rise to a civil penalty of \$500 and reasonable attorney 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 623 Macon Water Authority Act; ability to operate a storm water utility; provide

Bill Summary: A Bill to amend an Act known as the 'Macon Water Authority Act', so as to revise the powers of the authority.

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

HB 652 Perry Public Facilities Authority Act; enact

Bill Summary: A Bill to create the Perry Public Facilities Authority.

Authored By: Rep. Larry O'Neal (146th) **Rule Applied:**

Motions to Agree(A motion to agree represents final passage of the bill.)

HB 661 Clarkston, City of; change corporate limits

Bill Summary: A Bill to reincorporate the City of Clarkston, so as to change the corporate limits of the city by annexing certain territory.

Authored By: Rep. Karla Drenner (85th) **Rule Applied:**
Motions to Agree(A motion to agree represents final passage of the bill.)

HB 669 Chatham County; provide for compensation of certain officials

Bill Summary: A Bill to amend an Act providing for the compensation of certain officials in Chatham County.

Authored By: Rep. Ron Stephens (164th) **Rule Applied:**
Motions to Agree(A motion to agree represents final passage of the bill.)

SB 94 Criminal Procedure; require a procedure for enhancing witness identification accuracy

Bill Summary: SB 94 requires law enforcement agencies that conduct live lineups, photo lineups, or showups, to adopt written policies for using such procedures. These policies must contain the following requirements: if using a live lineup procedure, a person who does not know the identity of the suspect must be the one to conduct the procedure; or if using a photo lineup, the person conducting the procedure must either not know the identity of the suspect or use a procedure that randomly places photographs in folders so that the conductor cannot physically see which photograph is being viewed by the witness until the procedure is complete.

In either case, the witness must be instructed that the perpetrator of the alleged crime may or may not be present in the lineup. There must be at least four individuals who are not suspects ("fillers") in live lineups and at least five in photo lineups. These fillers must generally resemble the witness's description of the perpetrator.

The witness who makes the identification, whether at a live lineup, photo lineup, or showup, must make and document a clear statement in their own words about their confidence level in the identification. These policies will be subject to public disclosure. If an agency fails to comply with these requirements, the judge may consider such failure, but is not required to exclude identification evidence obtained.

SB 94 also amends the law regarding search and seizure.

1) Search Incident to Arrest - The bill first revises the Code section regarding search incident to a lawful arrest. Most of the changes in this section are stylistic. For example, the bill allows an officer to search the individual arrested, as well as the area within the person's immediate presence, for the purposes of "discovering or seizing any property" which may have been used in the crime. The definition of property now includes intangible items in an attempt to ensure that items other than traditional physical instrumentalities are seizable.

The bill also changes language regarding exactly what an officer may seize in the course of a search incident to arrest. Also, the bill strikes language about what may be seized in a search incident to arrest and replaces it with the defined term "contraband." The definition of contraband is the same as the language that the term replaced.

2) Issuance of Search Warrants - Under current law, when seeking a search warrant, an officer is required to establish by probable cause that a crime is being or has been committed. This bill adds an option for an officer to establish by probable cause that a crime "is about to be committed." The bill expands which judges are allowed to issue search warrants. Under current law, the only judicial officers authorized to issue search warrants are those "authorized to hold a court of inquiry to examine into an arrest of an offender against the penal laws" as well as retired, senior, or emeritus judges if the active judge authorizes such judges to issue warrants. This bill allows "any judge of a court of this

state" to issue warrants.

3) What A Search Warrant May Be Issued For - A judicial officer may issue a warrant for "stolen" property, but the bill strikes the word "embezzled." Also, the bill allows a search warrant to be issued for the seizure of any property that is evidence of the commission of the crime. The bill removes the exemption for private papers that are only tangible evidence of the commission of the crime. A warrant may also be issued for the search or seizure of an individual who has been kidnapped "or unlawfully restrained." Finally, if an individual has a warrant for his/her arrest and is located within another person's property, a warrant may be issued for the search of that other person's property. The changes for what may be seized in a search incident to arrest are also applied to the provisions regarding what may be seized when effecting a valid search warrant.

4) Use of Certain Devices in Search Warrant Execution - This bill allows other personnel acting on behalf of a peace officer to assist in the execution of a warrant. The bill also allows the use of a "device" when executing a warrant. A device means an electronic instrument used for overhearing sounds or for observing images. This also includes instruments that can be used to intercept a wire, oral, or electronic communication. Certain instruments are excluded from the definition of device, such as hearing aids or "trap and trace" devices.

5) Records of Search Warrants and Supporting Documents - This bill prevents search warrants from being subject to public inspection until they are executed or returned as not executed. This applies to the documents supporting the warrant as well.

6) Ex Parte petition for Sealing of Search Warrants and Supporting Documentation - SB 94 allows a prosecuting attorney to petition the court ex parte for a search warrant and supporting documentation to be filed under seal with the clerk. The prosecutor must show "reasonable cause" to believe that disclosure of such materials may endanger the life of an individual, cause an individual to flee from prosecution, lead to destruction of evidence/ intimidation of a witness, or otherwise jeopardize an investigation or delay a trial. A judge may order such sealing for up to 60 days, and the period of sealing cannot extend beyond the return of indictment or filing of accusation where evidence seized may be admitted. If an individual is not available, a copy of the warrant must be left in a conspicuous place. If the warrant has been ordered to be sealed, however, a copy may not be left in a conspicuous place.

7) Written Return of Property Seized - Current law allows a written return of property seized to be made before any judicial officer named in the search warrant or before "any court of competent jurisdiction." This bill requires such report to be made before a judicial officer of the same court as the judicial officer who issued the search warrant.

8) Special Masters in Serving Search Warrants - Current law requires an attorney to serve as a special master and accompany a peace officer when serving a search warrant. This bill provides that an attorney shall not be appointed if there is a significant risk that his/her own interests or duties to another client will be affected by such appointment.

9) Prosecuting Attorney May Designate Individual to Observe Search Warrant Execution - If practicable, the peace officer serving the search warrant should not participate in the search, but should only accompany the special master who is conducting the search. This bill allows the prosecuting attorney to designate an attorney or investigator to observe the execution of the search warrant.

PART 2 Search and Seizure of Wire and Electronic Communications

1) Subpoena, Court Order, or Warrant requiring Disclosure of Wire/Electronic Communications - This bill first states that a peace officer, prosecuting attorney, or attorney general may require wire/electronic communications to be disclosed by subpoena, court order, or search warrant as provided by the laws of the United States. A subpoena may be issued if it is shown that the material relates to a pending criminal investigation. A provided or electronic communication service must

provide the contents of and records pertaining to such communications when there is a request made that complies with the laws of the United States. If a search warrant requires the production of wire/electronic communications, it shall have state-wide application or application as provided by federal law when issued by a judicial officer with jurisdiction over the crime under investigation. If allowed under federal law, judges having jurisdiction over the crime being investigated may issue orders requiring production of such communications. These orders shall have state-wide application or application as provided by federal law. A person violating this section may be subject to contempt.

2) Installation of Tracking Device by Issuance of Search Warrant - The bill allows, by search warrant, the installation of a tracking device on a physical object provided that the warrant identifies the object and specifies a reasonable length of time, which cannot exceed 45 days, that the device will be used. The installation of the device must take place in the county within the jurisdiction of the warrant-issuing judge. The device can be monitored from any location in the state. The warrant must mandate that the installation is completed within 10 days of the warrant's issuance. The officer must also make a written return of such warrant to the judicial officer named in the warrant or before any court of competent jurisdiction to the judge named in the warrant. On the return, the officer must enter the exact date and time the device was installed or monitoring began if no installation was required. They must also list the dates and times the devices were used. The warrant must be returned within 10 days of the tracking ending. Also within 10 days of the termination of tracking, the officer must serve the search warrant on the person or owner of the physical object being tracked. A judge may order this service be delayed if he finds certain circumstances exist, such as endangerment or flight of the individual.

3) Pen Register and Trap and Trace Device - A district attorney or attorney general is authorized to apply for an order authorizing the use or extension of a Pen Register or Trap and Trace device. The application must be to a judge of the superior court of the district attorney's judicial circuit or any judicial circuit if the applicant is an attorney general. The judge may enter such order if authorized by the law of the United States and the order shall have state-wide application. An officer designated in writing by the attorney general or district attorney may install and use a pen register or trap and trace device before obtaining an order authorizing such installation and use if: he/she determines there are grounds upon which an order could be granted; within 48 hours of installation, an order approving the installation and use is issued; or he/she reasonably determines that a situation exists that involves danger of death or injury or conspiratorial activities indicative of organized crime.

4) Inapplicable to Officers Ferreting Out or Watching Suspected Criminals for the Purposes of Apprehension - Except when using a device in a way that would constitute a violation of the eavesdropping statute (O.C.G.A. §16-11-62), the provisions of this bill do not apply to officers ferreting out offenders or suspects for the purposes of apprehending those individuals.

5) Investigation Warrants - A judge of a superior court having jurisdiction over prosecution of a crime under investigation may issue an investigation warrant permitting the use of a device for surveillance of an individual or place to the extent such surveillance is consistent with and subject to terms and procedure of federal law. The warrant issued shall have state-wide application. Any evidence obtained is only admissible in courts that have misdemeanor AND felony jurisdiction. An individual acting in good faith reliance on a court order or legislative authorization will have a complete defense to a criminal or civil action brought under this or any other law.

6) Emergency Situations - Notwithstanding the requirements of this bill, a district attorney or attorney general may intercept wire/electronic communications or record an individual's activities without a court authorization if: they determine that there is an emergency situation which requires such interception or recording; and grounds exist upon which an investigation warrant could be issued, and they apply for such warrant within 48 hours of the surveillance or monitoring begins. If such warrant is granted, the execution must comply with this bill and must cease after the emergency situation stops. If the warrant is denied, the evidence obtained prior to it is confidential and may not be used in court.

(7) Consent to Interception - Notwithstanding the other provisions of this bill, wire/electronic communication may be intercepted when the party intercepting is party to the communication OR when one of the parties consents to interception.

8) Recording and Dissemination of a Minor's Communications - Communication of a child under the age of 18 may be recorded and divulged either by court order, parent, guardian, or legal custodian. If sought by a court order, the judge shall only issue such an order if he/she finds by probable cause that a crime has been committed or he/she finds that the child understands that the conversation is to be recorded and the child agrees to participate. A parent or guardian may also record, monitor, or intercept the communications of a child if the communication takes place through a device within the family home. The parent may disclose the contents of communication to the authorities if he/she reasonably believes the conversation is evidence of criminal conduct. Such disclosed evidence is admissible in a judicial proceeding.

9) Remedies - Exclusionary and Criminalization - Evidence obtained in a manner that violates this bill is inadmissible. Privileged information is also not admissible notwithstanding anything in this bill. A violation of this bill constitutes a felony.

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

SB 138 Social Services; provide for various reforms regarding the state's child welfare system

Bill Summary: SB 138 provides for various reforms to the state's child welfare system pursuant to a comprehensive review by the Governor's Child Welfare Reform Council.

The bill gives the governor the authority to appoint the director of the Division of Family and Children Services (DFCS) and outlines the qualifications for the position. The director will serve at the governor's pleasure and report directly to the governor, while remaining an employee of the Department of Human Services (DHS).

SB 138 also establishes the DFCS State Advisory Board, consisting of 20 members appointed by the governor as follows: one representative from each of the 15 state DFCS regions, and five members who are either state legislators or representatives from the fields of child welfare, foster care, public health or behavioral health and developmental disabilities, or juvenile justice. The advisory board shall meet at least quarterly to review and make recommendations to the DFCS director regarding issues related to the protection of children and DFCS's welfare and public assistance functions.

The bill also amends provisions regarding county DFCS boards, providing that such boards will consist of between five and seven members. Appointments made to county boards on or after the bill's effective date should be made from enumerated categories of persons from fields related to child welfare. The bill outlines the purpose and duties of county boards, providing that they will serve as an active liaison between the county departments and the local community and report no less than annually to the DFCS director regarding service delivery, community needs, and recommendations for operational improvements on the county level.

SB 138 clarifies that the purpose of county DFCS departments is to protect children, and outlines what county departments must do to achieve this primary purpose: investigate reports of abuse and neglect; assess, promote, and support the safety of a child in a safe and stable family or other appropriate placement in response to allegations of abuse or neglect; work cooperatively with law enforcement regarding reports that include criminal conduct allegations; and without compromising child safety, coordinate services to achieve and maintain permanency on behalf of the child, strengthen the family, and provide prevention, intervention, and treatment services.

The bill also establishes a DFCS Regional Advisory Board in each of the 15 state DFCS regions, to meet at least quarterly. Each board would be composed of at least five members and shall include the director and at least one board member of each county DFCS department within the region as selected by the DFCS regional director. The regional director may appoint additional members who are representatives from enumerated fields related to child welfare. The purpose of the regional advisory boards is to improve communication and coordination between the county departments within the region, improve and streamline service delivery by the county departments within the region, and

provide for consistent application of state DFCS policy within the county departments within the region.

SB 138 also expands the authorization of DHS to provide casework services and care to children where the parent, custodian, or guardian has placed his or her child in the custody of DHS by voluntary agreement until such agreement is revoked by the parent, custodian, or guardian or the agreement expires. DHS is also empowered with preparing, educating, and training foster parents to provide them with the appropriate knowledge and skills to provide for the needs of foster children, including knowledge and skills relating to the reasonable and prudent parent standard for the participation of the child in age or developmentally appropriate activities. Additionally, DHS is authorized to provide each youth aging out of foster care (unless the child has been in foster care less than six months and provided the child is eligible to receive such documents) with an official birth certificate, social security card, health insurance information, a copy of the child's medical records, and a state-issued driver's license or ID card.

The bill provides for immunity from civil liability for any foster parent, caregiver, or child welfare agency or other entity under contract with DHS as a result of the caregiver's approval of the participation of a child in DHS custody in an age or developmentally appropriate activity, so long as the caregiver acts in accordance with the reasonable and prudent parent standard.

SB 138 brings certain statutes in compliance with federal laws in order for the state to continue to receive federal funding under Title IV-E of the 'Social Security Act'.

The bill also states that the General Assembly supports interagency efforts to gather comprehensive data and to actively share and disseminate data among agencies responsible for making informed decisions about the treatment, care, security, and protection of Georgia children. The bill requires DHS, working with DFCS, the Department of Early Care and Learning, the Department of Community Health, the Department of Public Health, the Department of Behavioral Health and Developmental Disabilities, the Department of Juvenile Justice, the Department of Education, and the Georgia Crime Information Center, to develop and implement a workable state-wide system for sharing data relating to the care and protection of children between such agencies to streamline access to such data. DHS, working with the above agencies, must also establish an interagency data protocol to enable each agency to accurately and efficiently collect and share data with the other agencies in the most effective and expeditious manner. The bill allows for specific interagency agreements to be executed between or among agencies to further delineate the parameters for the sharing of data with one or more agencies. If a federal law or regulation impedes necessary data sharing between agencies, the appropriate agency or agencies must make all reasonable attempts to be granted a waiver or exemption from the applicable law or regulation.

SB 138 also allows DHS or a county or other state or local agency to release information about records concerning reports of child abuse to any school official of a school that a child, who was the subject of a report of suspected child abuse, attends in which there is an ongoing investigation of the reported abuse. Any ongoing investigation must include contact with the school to obtain any relevant information from school personnel regarding the report of suspected child abuse. The bill also gives foster parents access to the medical and educational records of a child in their care in the same manner and to the same extent as DHS itself would have, and to the fullest extent allowable by law, to ensure the proper care and education of foster children.

The bill provides that DFCS must create and maintain a confidential central child abuse registry known as the Child Protective Services Information System (CPSIS), which will receive notice of substantiated cases of child abuse occurring on and after July 1, 2016, and of persons convicted of child abuse crimes on and after July 1, 2016. The registry will be operated in a manner that enables abuse investigators to immediately identify and locate substantiated cases of child abuse and convicted child abusers and to maintain and produce aggregate statistical data of substantiated cases of child abuse and cases of child abuse in which a person was convicted. The bill also includes procedures for allowing a person to determine whether his or her name is included in the registry, and for removing his or her name from the registry.

Authored By: Sen. Butch Miller (49th) **Rule Applied:** Modified-Structured
Motions to Agree: (A motion to agree represents final passage of the bill.)

Motions to Disagree

HB 197 Debtor-Creditor Uniform Law Modernization Act of 2015; enact

Bill Summary: HB 197 updates and modernizes the following three uniform acts in the debtor-creditor area to reflect recent changes to these acts by the Uniform Law Commission: the 'Uniform Foreign-Country Money Judgments Recognition Act,' which codifies the most prevalent common law rules with regard to the recognition and enforcement of money judgments rendered in other countries; Article 1 of the Uniform Commercial Code (UCC), which serves all other articles of the UCC with definitions and general provisions; and, the 'Uniform Voidable Transactions Act,' formerly named the 'Uniform Fraudulent Transfer Act,' which strengthens creditor protections by providing remedies for certain transactions by a debtor that are unfair to the debtor's creditors.

Authored By: Rep. Mike Jacobs (80th) **Rule Applied:** Modified-Structured
Motions to Disagree: (A motion to disagree sends the bill back to the Senate for consideration.)

Rules Calendar

HR 810 House Study Committee on Short-Term Rental Providers; create

Bill Summary: A House Resolution to create the House Study Committee on Short-Term Rental Providers.

Authored By: Rep. Jon Burns (159th) **Rule Applied:** Modified-Open
House Committee: Small Business Development **Committee Action:** 03-31-2015 Do Pass
Floor Vote: Yeas: 163 Nays: 0 **Amendments:**

SB 59 "Partnership for Public Facilities and Infrastructure Act"

Bill Summary: Senate Bill 59 creates the 'Partnership for Public Facilities and Infrastructure Act'. It creates a guidelines committee by the same name and provides for its membership, terms of service, allowances and duties.

Authored By: Sen. Hunter Hill (6th) **Rule Applied:** Modified-Structured
House Committee: Governmental Affairs **Committee Action:** 03-25-2015 Do Pass by Committee Substitute
Floor Vote: Yeas: 164 Nays: 0 **Amendments:** AM 28 1428

SB 64 Juvenile Code, Domestic Relations, and Vital Records; repeal voluntary acknowledgments of legitimation

Bill Summary: SB 64 revises the definition of "legal father" and makes grammatical corrections to provide consistency within the Juvenile Code. The administrative legitimation as a means of defining legal father is removed. The bill also clarifies the language whereby only a biological father may legitimate his child and also what is required in that petition. The bill adds a provision allowing the court to insure that the petitioning alleged biological father is, in fact, the biological father and may order genetic testing. The Code is further refined so that the hospital in which a child is born must provide paternity acknowledgement forms prior to the birth of the child rather than after. The bill adds a requirement that the hospital provide the mother and the alleged father with the opportunity to execute a voluntary acknowledgement of paternity within 30 days of birth. Acknowledgement of paternity shall constitute a legal determination of paternity if sworn to and signed in the presence of a notary public or other witness.

Authored By: Sen. Chuck Hufstetler (52nd) **Rule Applied:** Modified-Structured
House Committee: Juvenile Justice **Committee Action:** 03-24-2015 Do Pass
Floor Vote: Yeas: 164 Nays: 5 **Amendments:**

SB 65 Property; change provisions relating to an exemption

Bill Summary: SB 65 amends Code Section 44-13-100, which permits debtors to exempt certain property from bankruptcy proceedings, by doubling the catch-all property exemption. Current law allows debtors to exempt the value of any piece of property, not in excess of \$600, plus up to \$5,000 of any unused amount of the homestead property exemption. SB 65 permits debtors to exempt the value of any piece of property, not in excess of \$1,200, plus up to \$10,000 of any unused amount of the homestead exemption. In summary, Senate Bill 65 increases the maximum exemption under the catch-all property exemption to \$11,200 from \$5,600.

The bill also includes language (passed by the House in HB 197) which updates and modernizes the following three uniform acts in the debtor-creditor area to reflect recent changes to these acts by the Uniform Law Commission: the 'Uniform Foreign-Country Money Judgments Recognition Act,' which codifies the most prevalent common law rules with regard to the recognition and enforcement of money judgments rendered in other countries; Article 1 of the Uniform Commercial Code (UCC), which serves all other articles of the UCC with definitions and general provisions; and, the 'Uniform Voidable Transactions Act,' formerly named the 'Uniform Fraudulent Transfer Act,' which strengthens creditor protections by providing remedies for certain transactions by a debtor that are unfair to the debtor's creditors.

Authored By: Sen. Jesse Stone (23rd)
House Committee: Judiciary

Rule Applied: Modified-Structured
Committee Action: 03-24-2015 Do Pass by Committee Substitute

Floor Vote: Yeas: 155 Nays: 14

Amendments:

SB 76 "Motorcycle Mobility Safety Act"; safe operation of a motorcycle; inoperative traffic-control signal

Bill Summary: If a driver has stopped at a traffic signal and has reasonable belief that the lightweight design of their bike or motorcycle has rendered the signal inoperable, this legislation allows the operator to proceed if there is no other motor vehicle within 500 feet approaching or entering the intersection. The driver is also required to proceed cautiously with consideration for all other rules of the road.

The bill defines "reasonable belief" as the belief of a reasonable person in consideration of the conditions of their stop, including but not limited to the number of seconds stopped, or the number of signal changes he or she has observed of the traffic control device or signal which did not include a change for him.

The committee substitute repealed existing law on handle bar height. Additionally, the substitute incorporated language requiring that drivers stop at a crosswalk when there are flashing beacons rather than requiring a pedestrian step into a crosswalk in order to stop traffic (HB 417).

Authored By: Sen. Bill Jackson (24th)
House Committee: Public Safety & Homeland Security

Rule Applied: Modified-Structured
Committee Action: 03-24-2015 Do Pass by Committee Substitute

Floor Vote: Yeas: 162 Nays: 5

Amendments:

SB 89 "Digital Classroom Act"; require instructional materials and content to be in digital or electronic format after a certain date

Bill Summary: Senate Bill 89, the 'Digital Classroom Act', allows local boards to use digital and electronic software instead of physical textbooks. The bill also encourages local boards, by July 1, 2020, to purchase all instructional materials in digital or electronic format and to provide an electronic device for students starting in 3rd grade.

The bill also creates the 'Student Data Privacy, Accessibility, and Transparency Act' to require the Department of Education to create a centralized data system that would be available to students and their parents, authorized staff, and authorized teachers and administrators. The bill allows parents the

right to review their child's education record including the student data recorded.

Authored By: Sen. John Albers (56th)
House Committee: Education

Rule Applied: Modified-Structured
Committee Action: 03-26-2015 Do Pass by Committee Substitute

Floor Vote: Yeas: 165 Nays: 0

Amendments:

SB 95 Real Estate Brokers and Salespersons; provide for acceptance of funds in a separate, federally insured account at financial institution by such persons

Bill Summary: Senate Bill 96 amends Code Section 43-40-20, relating to trust or escrow accounts for real estate businesses, and Code Section 43-40-25, relating to unfair trade practices, by broadening the types of accounts and institutions in which brokers can deposit client trust funds. The law currently requires brokers to deposit down payments, earnest money, security deposits, and other client trust funds in a federally-insured bank checking account in Georgia. SB 96 provides brokers with the flexibility to deposit customer funds into any type of account in any financial institution in Georgia.

Authored By: Sen. Michael Williams (27th)
House Committee: Banks & Banking

Rule Applied: Modified-Open
Committee Action: 03-23-2015 Do Pass

Floor Vote: Yeas: 168 Nays: 0

Amendments:

SB 99 Conduct of Proceedings; reversal on appeal; judge expresses an opinion regarding proof in a criminal case; change provisions

Bill Summary: SB 99 revises the provisions for when a judge may express his opinion to a jury about the guilt of the accused or whether a fact has been proved; this bill makes it an error for a judge to do so during any phase of a criminal trial. If a judge expresses his opinion regarding the guilt of the accused (not whether a fact has been proved), the Supreme Court, Court of Appeals, or trial court is required to grant a new trial. A party alleging a violation under this bill must make a timely objection, outside the presence of the jury, and inform the court of the specific grounds for the objection. The court is then charged with giving a curative instruction to the jury, if appropriate. Failure to object precludes appellate review unless the violation constitutes plain error which affects the substantial rights of the parties.

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

Rule Applied: Modified-Structured
Committee Action: 03-25-2015 Do Pass by Committee Substitute

Floor Vote: Yeas: 169 Nays: 0

Amendments: AM 29 2468

SB 108 Insurance; provide the requirements for maintaining a risk management framework

Bill Summary: Senate Bill 108 is a Department of Insurance bill based on model legislation from the National Association of Insurance Commissioners. It provides requirements for maintaining a risk management framework for large insurance carriers, as well as guidance and instruction for filing and reporting an Own Risk and Solvency Assessment with the commissioner of the Department of Insurance.

Authored By: Sen. P. K. Martin (9th)
House Committee: Insurance

Rule Applied: Modified-Structured
Committee Action: 03-25-2015 Do Pass

Floor Vote: Yeas: 167 Nays: 0

Amendments:

SB 111 Continuing Care Providers and Facilities; define certain terms; provide for a provider to offer continuing care at home

Bill Summary: Senate Bill 111 provides for a continuing care provider to offer continuing care in the home.

Authored By: Sen. Jesse Stone (23rd)
House Committee: Insurance

Rule Applied: Structured
Committee Action: 03-25-2015 Do Pass by Committee

Floor Vote: Yeas: 165 Nays: 3
Action: Substitute
Amendments:

SB 126 Pharmacists and Pharmacies; expansion of certain medical professionals to prescribe auto-injectable epinephrine to authorized entity; emergency purposes

Bill Summary: SB 126 allows a physician, an advanced practice registered nurse, and a physician assistant to prescribe auto-injectable epinephrine, and for a pharmacist to dispense the auto-injectable epinephrine. Additionally, under the provisions in this bill, an authorized entity, defined as any organization at which anaphylaxis may be present, is authorized to acquire and stock auto-injectable epinephrine. Further, any employee of such an organization is authorized to administer such medication.

Authored By: Sen. Chuck Hufstetler (52nd)
House Committee: Health & Human Services
Floor Vote: Yeas: 165 Nays: 1
Rule Applied: Modified-Structured
Committee Action: 03-27-2015 Do Pass by Committee Substitute
Amendments: AM 33 1572

SB 128 Corporations; directors and officers; enact reforms consistent with the Model Act; functions of a board of directors; change provisions

Bill Summary: SB 128 simplifies and modernizes the corporate code (Chapter 2 of Title 14). Current law allows corporations to implement staggered terms for its directors by dividing the directors equally among term groups. SB 128 eliminates the requirement of equal apportionment of directors among term groups. The bill provides that a director's consent to take action without a meeting may be withdrawn by a revocation in certain circumstances and allows a director in a consent to specify the time at which the action taken without a meeting is to be effective. The bill allows board committees to approve merger plans and permits directors to appoint alternate committee members to replace absent or disqualified members.

SB 128 also creates safe-harbor and approval procedures for directors and officers seeking to engage in corporate business opportunities. The bill allows corporations to disclaim an interest in taking advantage of specific business opportunities, either in the articles of incorporation, bylaws, or by shareholder or board action. The bill limits director and officer liability for taking advantage of corporate business opportunities if a corporation has disclaimed an interest in the opportunity. Approval of a disclaimer is effective if the director or officer brings the business opportunity to the attention of the corporation and the transaction is approved by either shareholders or directors. The bill eliminates director and officer disclosure requirements if the officer or director believes that disclosure would violate a duty of confidentiality imposed by law, contract, or professional ethical rules; however, a director claiming confidentiality under this subsection must disclose all information that does not violate these duties and the nature of the duty not to disclose. The fact that a director or officer did not employ the enumerated procedures does not create an inference that the corporation was interested in the opportunity or that the director or officer violated his or her duties by taking advantage of the opportunity. Additionally, failure to employ these procedures does not alter the burden of proof in establishing breach of duty to the corporation.

Authored By: Sen. John Kennedy (18th)
House Committee: Judiciary
Floor Vote: Yeas: 163 Nays: 0
Rule Applied: Modified-Open
Committee Action: 03-24-2015 Do Pass by Committee Substitute
Amendments:

SB 156 State Charter Schools Commission; authorize to establish a nonprofit foundation

Bill Summary: Senate Bill 156 allows the State Charter School Commission to set up a non-profit foundation. Donations to the foundation may be used by the commission, but may not be used for "direct employee costs", which are defined as salary, benefits, and travel expenses.

Authored By: Sen. Lindsey Tippins (37th)
House Committee: Education
Rule Applied: Modified-Structured
Committee Action: 03-25-2015 Do Pass
Amendments:

Floor Vote: Yeas: 151 Nays: 13

Amendments:

SB 160 Alcoholic Beverages; revise penalties for a violation of Code Section 3-3-23

Bill Summary: SB 160 changes provisions regarding the punishment for unlawfully selling or furnishing alcohol to people under 21-years old and for underage people possessing alcohol. This bill requires an officer to arrest by issuance of a citation to a person violating the provisions of O.C.G.A. §3-3-23 (a minor in possession of alcohol and furnishing alcohol to a minor). In addition to a citation, the officer may effect a custodial arrest of a person violating the provisions of this bill if the officer has probable cause to believe that the person is intoxicated to the extent that he/she poses a danger to himself or the person/property of another. The citation must enumerate the specific charges against the person and the date which they are required to appear and answer the charges. In lieu of the appearance date, the citation may provide that the person will be notified later about the date they are required to appear and answer the charges.

SB 160, moreover, makes it a crime (misdemeanor) to intentionally cause a minor to be identified as someone in an obscene depiction in a way that a reasonable person would conclude that the person in the image was the minor. This includes giving the minor's name, address, telephone number, or email address. This also includes the electronic imposing of the minor's face onto an obscene depiction. If the violation involves an individual who resides in the state of Georgia, the person will be subject to prosecution even if their conduct took place outside of the state. If the conduct takes place within the state, the person will be subject to prosecution even if it involves an individual who resides outside the state. The prohibition does not apply to law enforcement activities when investigating crimes or when the identification and image is made in anticipation of litigation. Also, the bill contains a non-merger of offenses clause.

Authored By: Sen. Michael Williams (27th)

House Committee: Judiciary Non-Civil

Floor Vote: Yeas: 162 Nays: 2

Rule Applied: Modified-Structured

Committee Action: 03-25-2015 Do Pass by Committee Substitute

Amendments: Am 29 2475

SB 164 Education; provide for positive behavioral interventions and supports and response to intervention initiatives

Bill Summary: Senate Bill 164 authorizes the State Board of Education to establish rules and regulations for "Positive Behavioral Interventions and Supports" (PBIS) and "Response to Intervention" (RTI) programs. PBIS establishes a school-wide, targeted, data-driven framework to help reduce disciplinary incidents and increase safety at schools. RTI establishes a framework of identifying and addressing academic and behavioral needs of students through a tiered system. Local boards will be encouraged to implement these two programs in their schools, and particularly in their high-need schools.

Authored By: Sen. Emanuel Jones (10th)

House Committee: Education

Floor Vote: Yeas: 157 Nays: 6

Rule Applied: Modified-Structured

Committee Action: 03-25-2015 Do Pass

Amendments:

SB 203 Georgia World War I Centennial Commission; create; membership, powers, and duties

Bill Summary: HB 203 creates the Georgia World War I Centennial Commission to plan for the upcoming World War I Centennial. The commission is composed of six members, two appointed by the governor, Lt. Governor, and Speaker of the House, respectively. Funds expended by the commission may only be obtained through private donations.

Authored By: Sen. Hunter Hill (6th)

House Committee: Defense & Veterans Affairs

Floor Vote: Yeas: 169 Nays: 0

Rule Applied: Modified-Structured

Committee Action: 03-23-2015 Do Pass by Committee Substitute

Amendments:

SR 126 Bill T. Hardman Hospitality Highway; Dawson and Lumpkin counties; dedicate

Bill Summary: PART 1 - SR 126: Senator Steve Gooch
State Route 400 in Dawson and Lumpkin counties is dedicated as the Bill T. Hardman Hospitality Highway.

PART 2 - SR 355: Senator Jeff Mullis
The intersection of State Route 341 and Mission Ridge Road in Walker County is dedicated as the E-4 Roger Dorsey, United States Navy, Memorial Intersection.

PART 3 - SR 290: Senator Steve Gooch
The portion of new Cleveland Bypass from SR11/US129 at Donald E. Thurmond Drive extending northwest to SR11/US129 at Hulsey Road is dedicated as the Appalachian Parkway.

PART 4 - SR 410: Senator Steve Gooch
The portion of State Route 306 from GA 400 to State Route 53 in Forsyth County is dedicated as the Frank L. Danchetz Highway.

PART 5 - SR 411: Senator Steve Gooch
The bridge on State Route 8/North Avenue over the Interstate 75/Interstate 85 Connector in Fulton County is dedicated as the Paul V. Liles, Jr., Bridge.

PART 6 - SR 296: Senator Steve Henson
The bridge on the MARTA Indian Creek Station exit ramp to Interstate 285 southbound in DeKalb County is dedicated as the Senator Lawrence (Bud) Stumbaugh Bridge.

PART 7 - SR 40: Senator Mike Dugan
The new flyover ramp on Interstate 85 at Georgia 400 is dedicated as the Captain Herb Emory Flyover Ramp.

PART 8 - SR 159: Senator Gloria Butler
The intersection of Highway 78 and Rosebud Road in Gwinnett County is dedicated as Brooks-Foster Crossing.

PART 9 - SR 441: Senator Donzella James
State Route 9 in Fulton County from its intersection with Peachtree Street to 14th Street is dedicated as the Gladys Knight Highway.

PART 10 - HR 396: Representative Sheila Jones
The bridge on Interstate 20 over Joseph E. Lowery Boulevard in Fulton County is dedicated as the Willie A. Watkins Bridge.

PART 11 - HR 421: Representative William Werkheiser
The portion of U.S. Highway 301 beginning at the Georgia and South Carolina state line in Screven County through Bulloch, Evans, Tattnall, Long, Wayne, and Brantley counties to the Florida state line in Charlton County is dedicated as the Georgia Grown Trail: 301.

PART 12 - HR 528: Representative Brian Prince
State Route 24 in Jefferson County from its intersection with U.S. Highway 1 on the Louisville Bypass to the Burke County line is dedicated as the Ozzie M. Hannah Memorial Highway.

PART 13 - HR 547: Representative Jeff Jones
HR 547 dedicates the portion of Georgia Highway 99 from U.S. Highway 17 in Eulonia to U.S. Highway 17 in Darien as Veterans Memorial Highway.

PART 14 - HR 548: Representative Tom Kirby
The intersection of GA 81 and GA 78 in Walton County is dedicated as the Ethan Rutledge Memorial Intersection.

PART 15 - HR 564: Speaker David Ralston
The bridge on State Route 515 over Cherry Log Street in Gilmer County is dedicated as the J. H. "Bud" Holloway Memorial Bridge.

PART 16 - HR 565: Representative Terry Rogers
The bridge on State Route 385/Old Highway 441 over Camp Creek in Habersham County is dedicated as the Johnny Mize Memorial Bridge.

PART 17 - HR 566: Representative Jason Spencer
The bridge on State Route 177 at mile marker 16 in Ware County is dedicated as the Corporal Russell S. King Memorial Bridge.

PART 18 - HR 599: Representative Paul Battles
The bridge on Ga 113 over Richland Creek west of downtown Cartersville in Bartow County is dedicated as the Hoyt D. "Slick" Tatum Memorial Bridge.

PART 19 - HR 619: Representative Paul Battles
Ga. 133 from its intersection at Doughtit Ferry Road to Euharlee (Chulio) Road west of downtown Cartersville in Bartow County is dedicated as the Henry C. Floyd Memorial Highway.

PART 20 - HR 653: Representative Mack Jackson
Ga. 272 from Ga. 68 to Ga. 24 in Washington County is dedicated as the Jimmy B. Lord Highway.

PART 21 - HR 688: Representative Tonya Anderson
HR 688 dedicates the portion of Interstate 285 beginning east of Interstate 85 south of Atlanta to the top end of Interstate 75 north of Atlanta in Cobb, DeKalb, and Fulton counties.

PART 22 - HR 707: Representative Jimmy Pruett
The bridge on US 280 over the Oconee River in Wheeler County is dedicated as the Lance Corporal Melvin Poole Memorial Bridge.

PART 23 - HR 725: Representative Robert Dickey
Ga. 341 in Monroe County from the Lamar County line to the Crawford County line is dedicated as the Michael Andrew Norris Memorial Highway.

PART 24 - HR 786: Representative Patty Bentley
The double bridge on East and West bound State Route 96 over Beechwood Swamp in Taylor County is dedicated as the Private John P. Dion Memorial Bridge.

PART 25 - HR 651: Representative Gloria Frazier
Ga. Hwy. 56 in the city of Midvale from mile marker 1 to the northern city limit is dedicated as the Samuel L. Cummings Highway.

PARTS 26 through 41: HR 36

PART 42 - SENATE ADDED LANGUAGE TO HR 36

PART 43 - HR 784: Representative Patty Bentley
The bridge on State Route 96 over Interstate 75 in Peach County is dedicated as the John David Duke Lane, Sr., Memorial Bridge.

Authored By: Sen. Steve Gooch (51st)

House Committee: Transportation

Floor Vote: Yeas: 167 Nays: 0

Rule Applied: Modified-Structured

Committee Action: 03-26-2015 Do Pass by Committee Substitute

Amendments:

Local Calendar

SB 215 Schley County Utilities Authority; create

Bill Summary: A Bill to create the Schley County Utilities Authority.

Authored By: Sen. Ed Harbison (15th)

House Committee: Intragovernmental Coordination - Local

Floor Vote: Yeas: 169 Nays: 0

Rule Applied:

Committee Action: 03-31-2015 Do Pass

Amendments:

SB 216 Acworth, City of; adopt by reference a certain map

Bill Summary: A Bill to reincorporate and provide a new charter for the City of Acworth, so as to adopt by reference a certain map.

Authored By: Sen. Lindsey Tippins (37th)

House Committee: Intragovernmental Coordination - Local

Floor Vote: Yeas: 169 Nays: 0

Rule Applied:

Committee Action: 03-31-2015 Do Pass

Amendments:

SB 217 Acworth, City of; change the corporate boundaries

Bill Summary: A Bill to reincorporate and provide a new charter for the City of Acworth, so as to change the corporate boundaries.

Authored By: Sen. Lindsey Tippins (37th)

House Committee: Intragovernmental Coordination - Local

Floor Vote: Yeas: 169 Nays: 0

Rule Applied:

Committee Action: 03-31-2015 Do Pass

Amendments:

SB 220 "Schley County Utilities Authority Act"; create

Bill Summary: A Bill to create the Schley County Utilities Authority.

Authored By:	Sen. Ed Harbison (15th)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-31-2015 Do Pass
Floor Vote:	Yeas: 169 Nays: 0	Amendments:	

SB 231 "City of Conyers Public Facilities Authority Act"; create

Bill Summary: A Bill to create the City of Conyers Public Facilities Authority and to provide for the appointment of members of the authority.

Authored By:	Sen. Ronald Ramsey, Sr. (43rd)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-31-2015 Do Pass
Floor Vote:	Yeas: 169 Nays: 0	Amendments:	

SB 237 Board of Education of White County; provide for the compensation of members

Bill Summary: A Bill to provide for the compensation of the members of the Board of Education of White County.

Authored By:	Sen. Steve Gooch (51st)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-31-2015 Do Pass
Floor Vote:	Yeas: 169 Nays: 0	Amendments:	

SB 238 Bainbridge-Decatur County Recreation Authority; create

Bill Summary: A Bill to create the Bainbridge-Decatur County Recreation Authority and to authorize such authority to provide recreational services throughout Decatur County.

Authored By:	Sen. Dean Burke (11th)	Rule Applied:	
House Committee:	Intragovernmental Coordination - Local	Committee Action:	03-31-2015 Do Pass
Floor Vote:	Yeas: 169 Nays: 0	Amendments:	