



Wednesday, February 24, 2016

House Budget & Research Office
(404) 656-5050

House Media Services
(404) 656-0305

- The House will reconvene for its 28th Legislative Day on Thursday, February 25 at 10:00 a.m.
- The Rules committee will meet at 9:00 a.m.
- 11 bills / resolutions are expected to be debated on the floor.

Today on the Floor

Rules Calendar

HB 166 Motorcycle Mobility Safety Act; enact

Bill Summary: House Bill 166 is the 'Motor Cycle Mobility Safety Act.' The legislation increases the height limitation for motorcycle handlebars to 25 inches.

Authored By: Rep. John Yates (73rd)

House Committee: Public Safety & Homeland Security

Floor Vote: Yeas: 166 Nays: 0

Rule Applied: Modified-Structured

Committee Action: 02-09-2016 Do Pass by Committee Substitute

HB 614 Landon Dunson Act; enact

Bill Summary: The 'Landon Dunson Act' authorizes the Department of Education to establish a program for placing video cameras in classrooms which are used for special education services. Video would be retained for no less than three months and cover all areas of the classroom to the extent practical.

Authored By: Rep. Valencia Stovall (74th)

House Committee: Education

Floor Vote: Yeas: 158 Nays: 6

Rule Applied: Modified-Open

Committee Action: 02-17-2016 Do Pass by Committee Substitute

HB 773 Georgia Housing and Finance Authority; outstanding bond limit; increase

Bill Summary: House Bill 773 increases the Georgia Housing and Finance Authority's bond limit for the single-family, residential housing program from \$1.3 billion to \$3 billion.

Authored By: Rep. Penny Houston (170th)

House Committee: Appropriations

Floor Vote: Yeas: 160 Nays: 5

Rule Applied: Modified-Structured

Committee Action: 02-18-2016 Do Pass by Committee Substitute

HB 806 Drivers' licenses; expiration of certain licenses and identification cards; provisions

Bill Summary: House Bill 806 is the annual "housekeeping" bill for the Department of Driver Services (DDS). It removes the option for a driver's license with a five-year renewal. It creates a two-year statute of limitations for citations that have been adjudicated in a local court and require the suspension of an individual's driving privileges, but the citations have not been processed with DDS.

Authored By: Rep. Kevin Tanner (9th)

House Committee: Motor Vehicles

Floor Vote: Yeas: 168 Nays: 0

Rule Applied: Modified-Structured

Committee Action: 02-18-2016 Do Pass by Committee Substitute

HB 838 Insurance; carriers that sell certain health plans through an agent shall compensate such agent a minimum of 5 percent of collected premiums; provide

Bill Summary: HB 838 requires insurance companies that sell health insurance plans through an agent in Georgia to compensate the agent with a minimum of five percent of the collected premium required for small group policies and four percent of the collected premium required for individual policies.

Authored By: Rep. Shaw Blackmon (146th)

House Committee: Insurance

Rule Applied: Modified-Structured

Committee Action: 02-22-2016 Do Pass by Committee

Substitute

Floor Vote: Yeas: 145 Nays: 17

HB 874 Courts; ability to prosecute street gang terrorism; improve

Bill Summary: HB 874 changes access to evidence of gang activity and adjusts criminal rules of evidence for trials involving gang activity and makes other changes to improve the ability to prosecute street gang terrorism.

The bill changes the terroristic threat statute by creating a felony for threats which suggest the death of the threatened individual. Any individual convicted of such a threat would be guilty of a felony and subject to imprisonment from one to five years or a fine of not less than \$1,000, or both.

HB 874 enables evidence of gang activity, including witness testimony, to be admitted into trial and considered at trial whenever it is relevant. Use of such evidence must be disclosed to the defendant 10 days prior to trial. The bill prohibits the exclusion of convictions for gang activity, including juvenile convictions, under the hearsay rules.

HB 874 increases criminal penalties for gang involvement where any person convicted of participation in gang related activities are guilty of a felony and shall be punished by imprisonment from five to 20 years or a fine of \$10,000 to \$100,000, or both. Individuals who are convicted of participation in gang activities while in possession of telecommunication devices while incarcerated are guilty of a felony and subjected to mandatory imprisonment of at least five but no more than 20 years, which is to be served consecutively to any other sentence imposed. In addition, no portion of the mandatory minimum sentence can be suspended, probated, or withheld.

Authored By: Rep. Albert Reeves (34th)

House Committee: Judiciary Non-Civil

Rule Applied: Modified-Structured

Committee Action: 02-17-2016 Do Pass by Committee

Substitute

Floor Vote: Yeas: 106 Nays: 60

HB 916 "The Pharmacy Audit Bill of Rights"; certain audits conducted by the Department of Community Health; remove exception; provisions

Bill Summary: HB 916 prevents the Department of Community Health from recouping full payment for medical assistance if the provider makes a clerical or record-keeping error in their reimbursement documentation. However, if such error results in an overpayment, the department can recoup the amount overpaid. Further, under the provisions of this bill, no state agency that provides recoupment or reimbursement to another entity can establish rules that require full recoupment for any clerical or record-keeping error.

Authored By: Rep. Dustin Hightower (68th)

House Committee: Health & Human Services

Rule Applied: Modified-Structured

Committee Action: 02-16-2016 Do Pass

Substitute

Floor Vote: Yeas: 164 Nays: 0

HB 948 Penal institutions; application fee paid to the State Board of Pardons and Paroles by nonindigent adult offenders applying to transfer supervision; revise

Bill Summary: HB 948 raises the fee that a non-indigent adult offender pays when applying to transfer supervision from Georgia to any other state to \$100.

Authored By: Rep. Alan Powell (32nd)

House Committee: Judiciary Non-Civil

Rule Applied: Modified-Structured

Committee Action: 02-17-2016 Do Pass

Substitute

Floor Vote: Yeas: 165 Nays: 0

HB 949 Crimes and offenses; illegal use of financial transaction cards; revise provisions

Bill Summary: HB 949 adds locally-elected constitutional officers to the list of individuals regulated in the Code regarding the illegal use of financial transaction cards.

Authored By: Rep. Alan Powell (32nd)

House Committee: Judiciary Non-Civil

Floor Vote: Yeas: 166 Nays: 0

Rule Applied: Modified-Structured

Committee Action: 02-17-2016 Do Pass by Committee Substitute

HB 980 Municipal elections; reopening of qualifications under certain conditions; provide

Bill Summary: House Bill 980 provides for the reopening of qualifications in municipal elections if someone fails to qualify during the regular qualifying period. Under current law, it would require the calling of a special election.

Authored By: Rep. Alan Powell (32nd)

House Committee: Governmental Affairs

Floor Vote: Yeas: 157 Nays: 0

Rule Applied: Modified-Structured

Committee Action: 02-17-2016 Do Pass by Committee Substitute

HR 1363 House Special Study Committee on Judicial Qualifications Commission Reform; create

Bill Summary: HR 1363 creates a study committee for the reform of the Judicial Qualifications Commission. The committee has the authority to issue and enforce subpoenas for witness and documents. The committee is composed of seven members to be appointed by the speaker of the House.

Authored By: Rep. Wendell Willard (51st)

House Committee: Rules

Floor Vote: Yeas: 165 Nays: 2

Rule Applied: Modified-Structured

Committee Action: 02-17-2016 Do Pass

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 28th Legislative Day, Thursday, February 25, and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Thursday, February 25, at 9:00 a.m., to set the Rules Calendar for the 29th Legislative Day.

HB 205 Drivers' licenses; require driver who refused blood alcohol concentration testing to install and maintain ignition interlock devices on vehicle; provisions

Bill Summary: HB 205 provides an option to Driving Under the Influence (DUI) offenders to waive their right to an Administrative License Suspension (ALS) hearing. Those persons who submit to a field sobriety test can apply for an ignition interlock limited driving permit for a period of four months. Drivers who refuse testing will have the option to apply for an ignition interlock limited driving permit for a period of 12 months. Offenders cannot apply for reinstatement until they provide proof that they have installed an ignition interlock device on their vehicle.

Second time offenders may apply for an ignition interlock device limited driving permit only after serving 120 days of the suspension and fulfilling their enrollment requirement in a drug/alcohol treatment program. An ignition interlock device must be installed on any vehicle before an offender with an ignition interlock limited driving permit may operate the vehicle.

A driver's ignition interlock device limited driving permit shall be revoked if the ignition interlock provider center notifies the court that the device was tampered with, the driver fails to report for monitoring, or the offender tries to drive after drinking.

Authored By: Rep. Tom Rice (95th)
House Committee: Judiciary Non-Civil

Rule Applied: Modified-Structured
Committee Action: 02-17-2016 Do Pass by Committee Substitute

HB 216 Occupational diseases; define certain terms; provisions

Bill Summary: House Bill 216 establishes that cancer will be covered by a fire fighter's worker's compensation benefit if it is demonstrated by a preponderance of the evidence that the cancer was caused by the circumstances of his employment.

Authored By: Rep. Micah Gravley (67th)
House Committee: Industry and Labor

Rule Applied: Structured
Committee Action: 02-17-2016 Do Pass by Committee Substitute

HB 770 Crimes and offenses; trafficking of persons for labor or sexual servitude; provisions

Bill Summary: HB 770 revises terms and increases penalties relating to trafficking of persons. "Developmental disability" and "controlled substance" are incorporated into the sexual servitude definitions. The definition of "sexual servitude" is expanded to include conduct induced or obtained by coercion or deception from an individual who is younger than 18 or who has a developmental disability. The penalty for trafficking is modified to require imprisonment for not less than 10 or greater than 20 years and a mandatory fine not to exceed \$100,000. Finally, the bill specifically states that the involvement of an undercover operative or law enforcement officer in a trafficking investigation is not a defense to prosecution.

Authored By: Rep. Chuck Efstoration (104th)
House Committee: Judiciary Non-Civil

Rule Applied: Modified-Structured
Committee Action: 02-17-2016 Do Pass by Committee Substitute

HB 802 Revenue and taxation; deduction from income for contributions to savings trust accounts; revise

Bill Summary: This legislation raises the deduction from taxable net income for contributions to a Georgia Higher Education Savings Plan (529 Plan) for married contributors filing joint returns from \$2,000 per beneficiary to \$4,000 per beneficiary.

Authored By: Rep. Sam Teasley (37th)
House Committee: Ways & Means

Rule Applied: Structured
Committee Action: 02-04-2016 Do Pass

HB 897 Health; care and protection of indigent and elderly patients; provide for the establishment and operation of a drug repository program to accept and dispense unused prescription drugs

Bill Summary: HB 897 establishes a drug repository program to accept and dispense over the counter and prescription drugs donated for the purpose of being dispensed to an eligible patient. "Eligible patient" is defined in the bill as an individual who is indigent, uninsured, underinsured, or enrolled in a public assistance health benefits program. A donating facility can be a drug manufacturer, wholesaler, reverse distributor pharmacy, government entity, hospital, or health care facility. Donating facilities can voluntarily donate drugs to an "eligible recipient facility," which is defined in the bill to be a pharmacy, hospital, federally qualified health center, or nonprofit clinic. Drugs may only be donated to the program if they are not expired and in unopened tamper-evident packaging.

Authored By: Rep. Betty Price (48th)
House Committee: Health & Human Services

Rule Applied: Modified-Structured
Committee Action: 02-16-2016 Do Pass by Committee Substitute

HB 905 Courts; child abuse; change provisions

Bill Summary: HB 905 provides criminal immunity for an individual who is in good faith possession of child pornography for the purpose of promptly reporting such violation to law enforcement or mandatory reporters.

The bill changes the definition for sexual abuse to now exclude consensual relationships between adults and children who are not more than four years apart in age. 'Child Advocacy Center' is defined to include only entities operated for investigating reported child abuse and partnered with one of the enumerated governmental entities.

Moreover, the code section requiring the establishment of local child abuse protocol committees is amended to require representatives from certain local law enforcement agencies and other entities concerned with public health. HB 905 allows multi-county judicial circuits to determine whether each county in the circuit should establish a protocol committee. Each committee must file an updated protocol with the Department of Family and Children's Services each September.

Finally, the bill strikes provisions requiring county prosecuting offices to notify the division of convictions for child abuse offenses. HB 905 also removes the actions required by the division which follow such a notifications, including the addition of the individual to the registry and the procedural recourse for removing a persons name from such a list.

Authored By: Rep. Mandi Ballinger (23rd)
House Committee: Judiciary Non-Civil

Rule Applied: Modified-Structured
Committee Action: 02-17-2016 Do Pass by Committee Substitute

HB 911 Sales and use tax; agricultural machinery and equipment; provide exemption

Bill Summary: This legislation makes changes to the Georgia Agricultural Tax Exemption (GATE) program. It raises the threshold for the GATE card from \$2,500 to \$10,000 in order to preserve the exemption for career farmers. It requires retailers to separate GATE purchases from other purchases and to validate those purchases. It requires the transfer of public tax information from the Department of Agriculture to the Department of Revenue so that the Department of Revenue can track GATE purchases and perform oversight over GATE participants, and the transfer of such information is protected by confidentiality provisions contained within the bill. The Department of Agriculture is also authorized to raise GATE annual fees up to \$150 per year, prorated in monthly increments.

Authored By: Rep. Geoff Duncan (26th)
House Committee: Ways & Means

Rule Applied: Modified-Structured
Committee Action: 02-22-2016 Do Pass by Committee Substitute

HB 919 Health; rural health care organizations which provide health care services to underserved areas; approve

Bill Summary: This legislation provides for tax credits to rural "health care organizations," defined as health organizations located in rural counties, participating in both Medicaid and Medicare, providing health care to primarily indigent patients, and receiving at least 25 percent of their gross net revenues from the treatment of indigent patients.

In the case of a single individual or head of household, the credit shall be for 90 percent of the actual amount expended or \$2,500 per year, whichever is less. In the case of a married couple filing a joint return, the credit shall be for 90 percent of the actual amount expended or \$5,000 per year, whichever is less. In the case of a corporation, the credit shall not exceed 90 percent of the amount expended or 75 percent of the corporation's income tax liability, whichever is less. The tax credit cannot exceed a taxpayer's income tax liability. Credits can carry forward, but cannot be applied retroactively. Aggregate tax credits are capped at \$250 million per year.

To apply for the credit, the donor must notify the Department of Public Health of the total amount of contributions, at which point the department will preapprove the donation within 30 days. The donation must then be made by the donor within 60 days of receiving preapproval from the department.

Authored By: Rep. Geoff Duncan (26th)
House Committee: Ways & Means

Rule Applied: Modified-Structured
Committee Action: 02-22-2016 Do Pass by Committee Substitute

HB 939 Revenue and taxation; setoff debt collections by the Administrative Office of the Courts; revise terms and procedures

Bill Summary: This legislation revises procedures for Administrative Office of the Courts to intercept setoffs, which are fines and fees over \$25 used to repay debts owed to a court. A taxpayer will be notified of a setoff and may appeal the setoff.

Authored By: Rep. Betty Price (48th)
House Committee: Ways & Means

Rule Applied: Structured
Committee Action: 02-17-2016 Do Pass

HB 981 Taxation; certain for profit corporations to participate in the indirect ownership of a home for the mentally disabled for primarily financing purpose; allow

Bill Summary: This legislation provides a property tax exemption on homes for the mentally disabled indirectly owned by limited liability companies (LLCs) if the LLC's parent organization is qualified 501(c)(3) organization under Internal Revenue Code.

Authored By: Rep. Brett Harrell (106th)
House Committee: Ways & Means

Rule Applied: Structured
Committee Action: 02-22-2016 Do Pass by Committee Substitute

HB 987 Ad valorem tax; property; change certain definitions

Bill Summary: This legislation allows all or part of a property that is subject to conservation use restrictions to be used to host a non-profit rodeo event to which admission is charged in an amount that, on aggregate, does not exceed the cost of hosting the event.

Authored By: Rep. Tom McCall (33rd)
House Committee: Ways & Means

Rule Applied: Structured
Committee Action: 02-22-2016 Do Pass by Committee Substitute

Committee Actions

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

Appropriations Committee

HB 22 HOPE; grants cover full cost of tuition; provide

Bill Summary: This bill requires HOPE Grants to cover the full cost of tuition at institutions operated by the Technical College System of Georgia (TCSG) and the University System of Georgia (USG). This legislation also eliminates the Zell Miller Grant.

Authored By:	Rep. Stacey Evans (42nd)	Committee Action:	02-24-2016 Tabled
House Committee:	Appropriations		

HB 1084 State Soil and Water Conservation Commission; measuring farm and agriculture uses of water; eliminate certain powers and duties

Bill Summary: The legislation transfers the duties associated with measuring farm and agricultural water use from the Georgia Soil and Water Conservation Commission to the Georgia Forestry Commission.

Authored By:	Rep. Penny Houston (170th)	Committee Action:	02-24-2016 Do Pass
House Committee:	Appropriations		

HB 1085 Social services; aging; transfer oversight of such services to the Department of Community Health

Bill Summary: HB 1085 shifts the responsibility for implementing community-based services for the elderly from the Department of Human Services to the Department of Community Health. As a result of HB 1085, the Division of Medical Assistance within the Department of Community Health will establish a community care unit. Additionally, the division must prepare an annual community care service plan to be incorporated into the State Plan for Medical Assistance.

Authored By:	Rep. Katie Dempsey (13th)	Committee Action:	02-24-2016 Do Pass
House Committee:	Appropriations		

Education Committee

HB 864 Education; "Move on When Ready Act"; revise definition of eligible postsecondary education

Bill Summary: House Bill 864 further defines an eligible postsecondary institution as any nonprofit, baccalaureate degree granting institution which is located within Georgia and which holds institutional accreditation by an accrediting agency recognized by the Council for Higher Education Accreditation or the United States Department of Education.

Authored By:	Rep. David Casas (107th)	Committee Action:	02-24-2016 Do Pass by Committee Substitute
House Committee:	Education		

HB 895 Elementary and secondary education; finance directors of charter schools participate in initial and annual training; require

Bill Summary: House Bill 895 requires governing boards of approved charter schools to participate in two or three hours of training regarding sound fiscal management. The State Board of Education shall establish a charter school financial management certification program for charter school leaders. The bill further provides that a leader, principal, or equivalent shall not serve

simultaneously as the chief financial officer.

Authored By: Rep. Rahn Mayo (84th)

House Education

Committee:

Committee

Action:

02-24-2016 Do Pass by Committee

Substitute

Governmental Affairs Committee

HB 699 Local government; define a certain term; provisions

Bill Summary: House Bill 699 eliminates the "lame duck" period between the November election and the time of swearing in for city council members and county commissioners. This bill provides that newly-elected members will take office on the first Monday that occurs five days after the election results are certified.

Authored By: Rep. Andrew Welch (110th)

House Governmental Affairs

Committee:

Committee

Action:

02-24-2016 Do Pass by Committee

Substitute

HB 781 Local government; individuals appointed to authorities and boards be United States citizens; require

Bill Summary: House Bill 781 provides that an individual appointed to state and local authorities, boards, councils, and commissions shall be a United States citizen, and a natural or lawful permanent resident.

Authored By: Rep. Brad Raffensperger (50th)

House Governmental Affairs

Committee:

Committee

Action:

02-24-2016 Do Pass by Committee

Substitute

HB 1031 Elections; candidate who receives votes within not more than 1 percent of total votes shall be qualified to request a recount; provide

Bill Summary: House Bill 1031 amends the law as it relates to a candidate's ability to ask for a recount after an election. It will allow the first place finisher, if the margin of victory is one percent or less, to ask for a recount.

Authored By: Rep. Sam Teasley (37th)

House Governmental Affairs

Committee:

Committee

Action:

02-24-2016 Do Pass

Intragovernmental Coordination Committee

HB 1053 Grady County; board of education; provide that members shall be elected on a nonpartisan basis

Bill Summary: A Bill to provide nonpartisan elections of the Grady County Board of Education.

Authored By: Rep. Darlene Taylor (173rd)

House Intragovernmental Coordination

Committee:

Committee

Action:

02-24-2016 Do Pass

Judiciary Non-Civil Committee

HB 12 Georgia Military Service Integrity and Preservation Act; enact

Bill Summary: HB 12 makes it unlawful for any individual, with the intent to secure a tangible benefit for him or herself, to make a false, fictitious, or fraudulent statement or representation that such individual is a military veteran or the recipient of a military decoration. Moreover, it is unlawful for any individual, with the intent to deceive, to appear in court while wearing a military uniform or military decoration. The penalty for this offense is punished as a misdemeanor, but if a

military decoration is involved in the violation, the punishment is a misdemeanor of a high and aggravated nature.

Authored By: Rep. Terry Rogers (10th)
House Committee: Judiciary Non-Civil

Committee Action: 02-24-2016 Do Pass by Committee Substitute

HB 513 Pleadings and motions; procedure for claims asserted against a person or entity arising from an act which could be construed as an act in furtherance of the right of free speech or right to petition government for redress of grievances; revise provisions

Bill Summary: HB 513 updates Georgia's anti-slap legislation to increase the coverage from protecting the right to petition to also include the right of free speech in connection with an issue of public interest or concern. When a claim for relief is asserted against another party involving such situations, the action shall be subject to a motion to strike, unless the court determines that the non-moving party has established that such persons will prevail on the claim. The court shall consider the pleadings, and supporting and opposing affidavits stating the facts upon which the liability or defense is based. The result of the motion shall not be admissible into evidence at any later stage of the case. Moreover, if the moving party prevails, that party shall be granted the recovery of attorney's fees and costs associated with the motion. If the court finds the motion to strike is frivolous, or solely intended to cause unnecessary delay, then the court will award attorney's fees and costs to the non-moving party. An order granting or denying a motion to strike shall be appealable without the entry of an order by the trial judge.

Authored By: Rep. Ron Stephens (164th)
House Committee: Judiciary Non-Civil

Committee Action: 02-24-2016 Do Pass by Committee Substitute

HB 722 Health; patient registry program for the use of medical cannabis; provide

Bill Summary: HB 722 allows for manufacturers of low THC oil to ship low THC oil to a person properly registered with the Department of Public Health in Georgia. HB 722 expands the list of conditions for which low THC oil can be administered by including autism, epidermolysis bullosa, HIV, peripheral neuropathy, tourette's syndrome, terminal illness, and post-traumatic stress disorder. Moreover, HB 722 includes low THC oil into the code regarding driving under the influence.

Authored By: Rep. Allen Peake (141st)
House Committee: Judiciary Non-Civil

Committee Action: 02-24-2016 Do Pass by Committee Substitute

HB 779 Crimes and offenses; regulate use of unmanned aircraft systems and images; provisions

Bill Summary: HB 779 regulates the use of drones in Georgia. Except for military or governmental contracts involving research, it is unlawful to sell, manufacture, possess, or operate an unmanned aerial vehicle that is equipped with a weapon. The punishment for such conduct is a felony. Moreover, no law enforcement agency shall use an unmanned aerial vehicle to gather evidence or other information in a private place without first obtaining a search warrant unless: there are exigent circumstances; participating in active search for a fugitive or monitoring a hostage situation; or participating in a search for missing persons. Any data collected by the law enforcement agency shall be destroyed within five days, and any data retained for a longer period of time is subject to open records requests. It is unlawful for an unmanned aerial vehicle to: launch from private property without permission; interfere with a train, aircraft, or motor vehicle; harass, threaten, or intimidate another person; and the penalty for such violations are punished as a misdemeanor. HB 779 provides that state law preempts any local law or ordinance. Also, any person who knowingly and willfully obstructs or hinders any law enforcement officer, fire fighter, park ranger, or emergency services shall be guilty of a misdemeanor. The bill also provides that unmanned aerial vehicles cannot be used to assist a person with hunting, nor hinder another individual who is hunting.

Authored By: Rep. Kevin Tanner (9th)
House Committee: Judiciary Non-Civil

Committee Action: 02-24-2016 Do Pass by Committee Substitute

Motor Vehicles Committee

HB 795 Georgia Driver's Education Commission; transfer from Department of Driver Services to the Governor's Office of Highway Safety

Bill Summary: House Bill 795 transfers the Georgia Driver's Education Commission from the Department of Driver Services to the Governor's Office of Highway Safety. It also extends the sunset provision from June 30, 2016 until June 30, 2019.

Further, this bill states that any secondary school or any institution in the Technical College System of Georgia cannot receive funds from the Driver's Education Commission if that institution offers driver's education programs to students who do not live in the school district or if there is a private driving school offering courses in the school's geographic region or district.

Authored By: Rep. James Epps (144th)

House Motor Vehicles

Committee:

Committee

Action:

02-24-2016 Do Pass by Committee
Substitute

Public Safety & Homeland Security Committee

HB 1066 Penal institutions; additional duties of commissioner of corrections; authorize chief of staff to issue warrants of an offender who has escaped

Bill Summary: House Bill 1066 allows the chief of staff to the commissioner of the Department of Corrections to issue a warrant for the arrest of an offender who has escaped from the custody of the department.

Authored By: Rep. Alan Powell (32nd)

House Public Safety & Homeland Security

Committee:

Committee

Action:

02-24-2016 Do Pass

Ways & Means Committee

HB 364 Real estate transfer tax; change certain provisions

Bill Summary: This legislation increases the the level of oversight over county tax assessors and provides an avenue to the Georgia Tax Tribunal for taxpayers who have had multiple illegal property assessments. The commissioner of the Department of Revenue is empowered to review and request an alteration of a county digest and to create an appeals process if a tax assessor should disagree with an alteration.

It also provides that the Department of Revenue shall notify the Department of Community Affairs if there has been a finding of the illegal taxation of property or intangibles. If there is such a finding, the Department of Community Affairs may revoke the county's qualified government status for three years, though the county's qualified government status will not be revoked if the county removes the tax assessor.

This legislation allows the owner of a property that has been illegally taxed under a prior county digest to file a petition directly to the Georgia Tax Tribunal for a refund of taxes paid, interest, and attorney's fees. The bill provides corresponding legal filing requirements to support such an action.

Authored By: Rep. David Knight (130th)

House Ways & Means

Committee:

Committee

Action:

02-24-2016 Do Pass by Committee
Substitute

HB 471 Ad valorem tax; heavy-duty vehicles; add a definition of certain vehicles

Bill Summary: This legislation provides that equipment rental companies may charge a property tax recovery fee of 1.5 percent on the total charge for renting any equipment and remit those collected property tax recovery fees to the respective county tax commissioner. The bill also contains reporting requirements to ensure that collection amounts match the companies' property tax liability.

Authored By: Rep. Ron Stephens (164th)

House Ways & Means

Committee:

Committee

Action:

02-24-2016 Do Pass by Committee
Substitute

HB 793 Revenue and taxation; fraternal benefit association; revise definition

Bill Summary: This legislation exempts property owned by a historical fraternal benefit association from taxation if the organization received its charter from the Georgia General Assembly 125 or more years ago.

Authored By: Rep. Mandi Ballinger (23rd)

House Ways & Means

Committee:

Committee

Action:

02-24-2016 Do Pass by Committee
Substitute

HB 828 Income tax credit; employers who hire certain qualified parolees for full-time jobs; create

Bill Summary: This legislation provides an income tax credit of \$2,500 per parolee per year to employers who hire individuals who have been granted parole within the preceding 12 months. The job must be full-time (more than 35 hours per week), be without a predetermined end date, involve work in the state for a minimum of 40 weeks per taxable year, and be at or above the average wage for the county in which the job is based. The credit cannot exceed the employer's income tax liability or be applied retroactively, and any unused credit can carry forward for three subsequent years. It also contains reporting metrics to determine the effectiveness of the credit.

Authored By: Rep. Virgil Fludd (64th)

House Ways & Means

Committee:

Committee

Action:

02-24-2016 Do Pass by Committee
Substitute

HB 960 Tax and revenue; confidentiality of certain tax information; provisions

Bill Summary: This legislation provides for a mechanism by which political subdivisions, such as local governments and school boards, can satisfy refunds owed to taxpayers as a result of sales and use tax overpayments.

The bill changes the 12 percent annual interest rate to the prime rate plus three percent. It provides for an automatic notification with the limited provision of relevant information to effected political subdivisions if a refund has been requested equal to 10 percent of the aggregate sales and use tax collections based on an average of the three previous calendar years, and for confidentiality of any such information furnished. It requires that the taxpayer electronically submit refund information to the Department of Revenue at the time of the filing of the refund. IHB 960 provides for an examination of the methodology used by the Department of Revenue in any audit by the Department of Audits and Accounts to ensure that the refund audit was satisfactory. It changes penalties for failing to repay from 10 percent to an initial five percent, with an additional five percent penalty assessed every six months thereafter and a cap of 20 percent on aggregate. It provides for the automatic transfer of any refund to the Georgia Tax Tribunal if the refund has been pending with the Department of Revenue for over a year for a show cause order to determine if the taxpayer, the department, or no party was at fault for the delay. If one of the parties is found to be at fault, that party is required to pay the interest accrued, and in all cases the matter would be remanded back to the department for completion.

This legislation also adds to the confidentiality language in O.C.G.A. Section 48-2-15, relating to the disclosure of confidential information, to allow the House Ways and Means and Senate Finance

Committees to access non-taxpayer identifying information.

Authored By:	Rep. Trey Kelley (16th)	Committee	02-24-2016 Do Pass by Committee
House	Ways & Means	Action:	Substitute
Committee:			

HB 982 Ad valorem tax; property; change certain definitions

Bill Summary: This legislation changes definitions relating to the ad valorem taxation of property by requiring that the income approach be used in determining the fair market value of a property if supplied by the property owner.

Authored By:	Rep. Ron Stephens (164th)	Committee	02-24-2016 Do Pass by Committee
House	Ways & Means	Action:	Substitute
Committee:			

HB 990 Alternative ad valorem tax; motor vehicles; change certain definitions

Bill Summary: This legislation amends current law whereby a person can lock in their property tax assessment by appealing a tax assessment, regardless of the merit or outcome of the appeal. This legislation limits such a lock to appeals that result in a reduced value of assessment.

Authored By:	Rep. Jay Powell (171st)	Committee	02-24-2016 Do Pass by Committee
House	Ways & Means	Action:	Substitute
Committee:			

HB 1014 Income tax; exemption for donation of real property for conservation use; extend sunset date

Bill Summary: This bill extends the exemption on the donation of real property for conservation use to 2021, and creates reporting requirements to provide the Georgia General Assembly with information on the effectiveness of the exemption.

Authored By:	Rep. Jay Powell (171st)	Committee	02-24-2016 Do Pass
House	Ways & Means	Action:	
Committee:			

Committee Meeting Schedule

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

Thursday, February 25, 2016

10:00 AM	Floor Session (LD 28)	House Chamber
7:30 AM	Resource Management Sub	606 CLOB
8:00 AM	NATURAL RESOURCES	606 CLOB
9:00 AM	RULES	341 CAP
1:00 PM	HEALTH & HUMAN SERVICES	606 CLOB
1:00 PM	Environmental Quality Sub	133 CAP
2:00 PM	JUDICIARY CIVIL	132 CAP
2:00 PM	REGULATED INDUSTRIES	406 CLOB
2:00 PM	SMALL BUSINESS	341 CAP
2:00 PM	Resolutions Sub	506 CLOB
2:15 PM	TRANSPORTATION	506 CLOB
4:00 PM	ENERGY	403 CAP