

5 February 2016

LWVAF, Report from the Capitol, Week 4

The General Assembly completed Day 16 this week, 40% of the maximum 40 days. It will return on Monday for another four day week.

Committees are cranking up and spewing out legislation for consideration of the full chambers. And a few are passing. Many of these early bills which get floor consideration are bills left over from last year which had already passed one of the houses.

BOLD Bill Number indicates final passage

CA = constitutional amendment. Requires a 2/3s vote in each chamber and a majority vote in the next general election, next scheduled for November 2016.

NNS = Needs No Signature

In CHAMBERS

EDUCATION

HB 402 Lumsden – 12 **PASSED** House

Encourages employers to provide work-based learning opportunities to those age 16 + by reducing workman's comp premiums up to 5%. Both paid and unpaid students would be covered by workman's compensation.

ELECTIONS/ETHICS

SB 199 Jeffares – 17 **PASSED** Senate

Distribution of any campaign material within 150' of the outer walls of a precinct and 25' of a voter in line is prohibited. *Currently, the prohibitions are limited to specific items, like flyers or bumper stickers. 'Material' is expanded to include candidate, referenda, and political party materials. Not included are items from groups that are politically active, unless the message focuses on specific candidates, political parties or referenda. Example: An NRA hat.*

GOVERNMENT - GENERAL

SB 137 Harbin – 16 **PASSED** Senate H.Insurance

A fire insurance policy issued to a legal entity wholly owned by a natural person or persons shall be treated as if owned by a natural person(s).

GOVERNMENT – COURTS AND CRIMES

SB 193 Bethel – 54 **PASSED** Senate S.Judiciary Non Civil

Battery between household members is a misdemeanor on the first offense and a felony on the second or subsequent offenses. Does not apply to reasonable corporal punishment of a child by a parent.

SB 243 Hill – 4 **PASSED** Senate

Persons holding positions requiring membership in the GA Bar who were enrolled in a state pension system other than the GA Judicial Retirement System may switch to the GA Judicial Retirement System by 12-31-16. Those employed after the effective date of this bill will have 90 days to elect to join. Those transferring will retain their number of years and any vesting in the current retirement system. All money paid into the current retirement system for the transferring person will be transferred to the GA Judicial Retirement System.

GOVERNMENT – COUNTIES AND CITIES

HB 228 Jones – 167 PASSED House

In counties where sheriffs are paid a salary, any fees the sheriff can charge and collect are to be turned over to county treasurers.

HB 691 Tanner - 9 PASSED House

Municipal court judges may be removed from office for unethical conduct by a 2/3s vote of the entire governing authority at a public meeting. Charges are willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance, conduct prejudicial to the administration of justice, and disability seriously interfering with performance of duties. City charters may include other causes for removal. The governing body may appoint a judge to fill the vacancy.

GOVERNMENT - EMPLOYMENT

SB 263 Thompson – 14 PASSED Senate

Cities, counties, and school districts which employ POST certified police officers [this is most of them] are authorized to adopt policies that upon retirement or disability, the officer may retain his/her weapon and badge.

HEALTH

SB 273 Burke – 11 PASSED Senate

Exempts from licensure any non-diagnostic or federally regulated laboratory whose sole function is to examine human blood or its components intended as source material for manufacturing biological products.

HIGHER EDUCATION

HB 801 Jones – 47 PASSED House

The science requirement for high school graduation can be partially satisfied with computer science courses. STEM (science, technology, engineering, and math) college classes shall be weighted by .5 as are AP and IB courses. *Jobs requiring STEM skills are in very high demand. There are over 10,000 openings in STEM field now, and average salary is about \$73,000.*

LOCAL

SR 882 James – 35 NNS PASSED

Recognizes the South Fulton Chamber of Commerce on its 69th anniversary.

In COMMITTEE

DRIVERS LAWS, TRANSPORTATION

HB 126 Stover – 71 DO PASS in H.Science & Technology

Geographical Positional Systems, GPS, may be mounted on windshields to minimize obstruction of the driver's view unless prohibited for commercial vehicles by federal law.

HB 767 Powell – 32 DO PASS in H.Motor Vehicles

Adds 'utility service vehicle' to the law requiring approaching vehicles to use caution, slow down, and move into another traffic lane to pass. 'Utility service' includes public and private firms providing electric, natural gas, water, waste water, sanitation, cable, phone, or telecommunications services.

EDUCATION

HB 614 Stovall – 74 DO PASS in H.Education

Video cameras may be placed in self-contained classrooms providing special education services as a DOE pilot. DOE is to select the sites and LBOE may agree. Parents to receive prior notice. Recorded video to be retained for at least one year. Cameras are to record as many areas of the classroom as possible. DOE may accept gifts to facilitate camera procurement and placement. Pilot sunsets June 2021.

HB 739 Tanner – 9 DO PASS in H.Education

Approval of instructional materials and content is optional at the state level. Locals shall adopt a policy regarding textbook adoption, have control of which items are purchased, shall designate a coordinator, allow for public review of selections. Effective in school year 17-18. ***Currently, the state reviews instructional materials for alignment with required curriculum standards, quality of bindings which must last 7 years until the next adoption cycle, and has opportunities for public examination in several parts of the state. Local school systems may choose from the materials that make the ‘approved’ list to use state money to purchase. Further, if 5 systems or more wish to recommend instructional materials, the SBOE is required to evaluate them. LBOEs are always allowed to use local funding to purchase items not on the list.***

HB 870 Strickland – 111 DO PASS in H.Judiciary

High schools that receive state funds cannot participate in an athletic association that prohibits religious expression on clothing of student athletes. Nor can these schools participate in an athletic association which bans member schools from organizing and playing scrimmage games with nonmember schools. ***Bill arose after a student wore a headband with a religious message in a competition, after he had been warned twice to remove it. GHSA has a rule that no writing can be worn except that which is part of the official uniform. And GHSA has changed its rules to allow any two schools to play each other in scrimmages as long as both schools agree.***

ELECTIONS/ETHICS

HB 73 Turner – 21 **PASSED** House DO PASS in S.SLGO

The General Assembly may provide by local law for a period of residency for candidates for county or municipal office or board of education of less than 12 months. ***Currently, counties and cities may provide by local ordinance for the period of residency up to 12 months for all local offices except judicial ones. If no local law passed by the General Assembly, they still can.***

GOVERNMENT - GENERAL

SR 360 Beach – 21 DO PASS in S.Science & Technology

Create the 8-member Joint Study Committee on Cyber Security to address the need to develop cyber security protections and behaviors for individuals and corporations. There are 115 information securities companies in GA which generate \$4.5 billion in revenue. Creates the 8-member Senate Study Committee on Cyber Security.

HB 497 Stovall – 74 DO PASS in H.Government Affairs

Surplus state property is to be offered to charitable organizations at no charge for up to \$2000 value per year. The charitable organization must have existed for at least 2 years and have 15 or fewer full-time employees.

HB 561 Wilkinson – 52 DO PASS in H.Government Affairs

The ‘adoptable dog’ shall be the state official dog.

SB 278 Unterman – 45 DO PASS in S.Judiciary Non Civil

Increases the penalties for pimping and pandering.

HB 759 Williard – 51 DO PASS in H.Judiciary

Providing advice to financial institutions customers regarding financial services shall not be considered the practice of law. ***Currently, banks have such protections but other financial institutions do not.***

HB 856 Flemming – 121 DO PASS in H.Judiciary

Probate Court judges shall provide a bond of \$100,000, currently \$25,000, to the county in which they serve.

HB 858 Kaiser – 59 H.Judiciary

One shall not be liable for causing property damage while rescuing a dog from a locked motor vehicle or for further medical treatment for the dog.

HR 1199 Parsons – 44 DO PASS in H.Judiciary Non Civil

CA to provide for victims' rights and the enforcement of same.

GOVERNMENT – COUNTIES AND CITIES

HB 738 Caldwell – 131 DO PASS in H.Government Affairs

Any excess funds from county law libraries can be used to buy software, equipment, fixtures or furnishing for the DA office, solicitor general office or for any county judicial facilities such as courtrooms and jury rooms. Expenditures must be reported to the county commission.

HB 765 Powell – 171 DO PASS in H.Government Affairs

Vacancies on county DFACS boards shall be filled by appointment by the county and may include active or retired members of the groups specified. *Current law has been interpreted as not being inclusive of 'retired' persons.*

HB 781 Raffensperger – 50 DO PASS in H.Government Affairs

Persons appointed to any position at the county, or other political subdivision must be U.S. citizens and have resided in the jurisdiction for one year. State appointees must also be citizens and reside in the state for four years. *Elected members of the General Assembly and many local offices require only a one year residency in the district. State officials often require longer GA residencies.*

GUNS

SB 270 Martin – 9 DO PASS in S.Public Safety

Retired POST certified law enforcement officers may carry a handgun anywhere within the state allowed for active law enforcement officers.

HEALTH

HB 34 Dudgeon – 25 DO PASS in H.Health & Human Services

Georgia Right to Try Act. Patients with advanced illnesses have a fundamental right to access investigational drugs, biological products and devices to preserve their own lives. Such items may not have completed the long process of FDA approval. A physician must document the patient's condition and have written a prescription for use of such unapproved drugs or devices. The patient must be fully informed of all possible options and outcomes and provide written consent. Health insurance is not required to fund such treatments unless specifically required by law or contract.

HB 509 Petrea – 166 DO PASS in H.Health & Human Services

Create the 9 member GA Palliative Care and Quality of Life Advisory Council within the Department of Community Health to advise regarding establishment, maintenance, operations, and evaluations of outcomes of palliative care. The department shall publish resources on its website.

HB 588 Clark – 101 DO PASS in H.Health & Human Services

Substances containing ephedrine shall be entered into a data base upon sale and include the name of the buyer, type of identification used to obtain the product, and product bought. Limits possession to 300 pills or 9 grams.

HB 649 Cooper – 43 DO PASS in H.Health & Human Services

GA Lactation Consultant Practice Act. Requires licensed lactation consultants.

HB 775 Ehrhart – 36 DO PASS in H.Regulated Industries

Spectacles (contact lenses or eye glasses) which correct vision must be prescribed by a qualified licensed person who first performs an eye exam. *Clarifies existing law to eliminate such eyewear as safety goggles.*

HB 813 Jasperse – 11 DO PASS in H.Health & Human Services

Sexual partners of patients diagnosed with chlamydia or gonorrhea may receive ‘expedited partner therapy’ without a physical examination. Also includes a prescription for treatment without an exam. *Both of these conditions can be treated easily with a single dose.*

HB 853 Hawkins – 27 DO PASS in H.Health & Human Services

Coverdell-Murphy Act. There are defined three levels of stroke centers, currently 2. Comprehensive Stroke Centers is the highest level. The Department of Community Health is authorized to identify hospitals for specific levels of stroke centers and may define additional levels as necessary. Strokes are the 5th leading cause of death in this country and the leading cause of disability. An estimated 800,000 strokes are experienced each year. *Act named for two Georgia politicians who had strokes and died from them – Senator Paul Coverdell and Speaker Thomas Murphy.*

REVENUE/TAXATION

SR 135 Beach - 21 DO PASS in S.Regulated Industries & Utilities

CA to allow pari-mutuel betting on horse races. Such bets would be sales tax exempt. General Assembly to regulate. Proceeds to programs that develop and support the equine industry in GA through voluntary pre-kindergarten and college scholarships. Will be dispensed from a separate account from the lottery proceeds.

SR 604 Heath – 31 DO PASS in S.Finance

CA to repeal the state property (ad valorem) tax of .25 mill after 1-1-17. Does not include the property tax on which the state assesses on public utilities, railroads, and airlines for local entities or any administration function the state offers to locals regarding the property tax.

HB 742 Knight – 130 **PASSED** House DO PASS in S.Finance

Aligns state income tax code with federal law with particular attention to Georgia subchapter “S” corporations and Form 1099’s when taxes are withheld.

HB 862 Knight – 130 DO PASS in H.Ways & Means

Homestead exemptions for disabled veterans is expanded to include more disabilities.

NEW LEGISLATION

EDUCATION

HB 865 Dudgeon – 25 H.Ways & Means

Building Educational Success Together, BEST, Act. Establishes another school scholarship organization which is eligible for a tax credit for donations so as to provide vouchers to students to go to private schools. Donations may not take the tax credit if designated for a specific student or school. A BEST student must take the state tests, with scores reported to the state. BEST schools must report graduation rates of BEST students. *LWV OPPOSES vouchers.*

ELECTIONS/ETHICS

SB 318 Jeffares – 17 S.Ethics

District Attorneys shall be elected on a nonpartisan ballot. With local legislation, sheriffs, coroners, tax commissioners, and clerks of Superior Court can be elected nonpartisan.

GOVERNMENT - GENERAL

SB 301 Tate – 38 S.Public Safety

Fireworks may be used or exploded between 10 a.m. and 10 p.m. any day. Allowed July 3 and 4 and December 31 until midnight and Jan 1 and July 4 for the entire 24 hour period plus 15 minutes into the following day.

SB 317 Gooch – 51 S.Government Oversight

GA recognizes as a legitimate American Indian tribe the Tsigamogi tribe.

SR 725 Hill – 32 S.Retirement

CA to ban any public pension fund from investing public funds in a foreign state which sponsors terrorism or in a for-profit entity which does business with such a foreign state.

HR 1179 Benton – 31 H.Government Affairs

WITHDRAWN

CA to preserve the natural areas, access to, and protect and preserve the carving at Stone Mountain Park which shall maintain an appropriate and suitable memorial to the Confederacy.

GOVERNMENT – COUNTIES AND CITIES

HB 854 Benton – 31 H.Transportation

WITHDRAWN

Any county or city which has changed the name of any road which prior to 1-1-1968 was named for a veteran but has subsequently been renamed, shall revert back to the original name which shall not be changed again. ***Part of MLK Drive in Atlanta was previously name for General Gordon.***

GUNS

SB 303 Parent – 42 S.Public Safety

All buyers of guns from firearms dealers shall receive a gun lock. ***LWV SUPPORTS.***

REVENUE/TAXATION

HB 877 Kaiser – 59 H.Ways & Means

An income tax credit for plug-in electric vehicles, formerly defined as zero emissions vehicles. ***A previous credit for such vehicles was repealed in 2015 by passage of the big transportation bill.***

LOCAL

SB 330 Beach – 21 S.Transportation

MARTA owned property not used for transit shall be subject to local planning and zoning laws. MARTA may ask for in November 2016 for a ½% sales tax for capital projects in Fulton, DeKalb, and Clayton counties. Project list expected to cover an extension north from North Springs to Windward parkway, a leg from Five Points to Stonecrest Mall, and lite rail or express bus from Lindburgh to Emory and further into South Fulton.

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