

**Members of the Senate Judiciary Non-Civil Committee  
2015 Session**

**Senator Jesse Stone, Chairman**

**District 23**

827 N. Liberty Street  
Waynesboro, GA 30820  
Phone: 404-463-1314

**Senator William Ligon, Jr.**

**Vice-Chairman**

**District 3**

158 Scranton Connector  
Brunswick, GA 31525  
Phone: 404-656-0045

**Sen. John Kennedy**

**Secretary**

**District 18**

231 Riverside Drive  
Macon, GA 31201  
Phone: 404-656-7454

**Senator Charlie Bethel**

**District 54**

1701 Briarcliff Circle  
Dalton, GA 30720  
Phone: 404-463-1383

**Senator Mike Crane**

**District 28**

P.O. Box 700  
Newnan, GA 30264  
Phone: 404-656-6446

**Senator Vincent Fort**

**District 39**

P. O. Box 42967  
Atlanta, GA 30311  
Phone: 404-656-5091

**Senator Hunter Hill**

**District 6**

2451 Cumberland Pkwy., Ste. 3439  
Atlanta, GA 30339  
Phone: 404-463-2518

**Senator Harold Jones, II**

**District 22**

437 Walker Street  
Augusta, GA 30901  
Phone: 404- 463-3942

**Senator Elena Parent**

**District 42**

774 Springdale Rd NE  
Atlanta, GA 30306  
Phone: 404-656-5109

**Senator Joshua McKoon**

**Ex-Officio**

**District 29**

P.O. Box 2565  
Columbus, GA 31902  
Phone: 404-463-3931

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Wednesday, January 28, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**

**Senator Mike Crane, 28<sup>th</sup>**

**Senator Hunter Hill, 6<sup>th</sup>**

**Senator Harold Jones, II, 22<sup>nd</sup>**

**Senator Elena Parent, 42<sup>nd</sup>**

**NOTE:** Senators Ligon, 3<sup>rd</sup>, Kennedy, 18<sup>th</sup>, Bethel, 54<sup>th</sup>, Fort, 39<sup>th</sup>, and McKoon, 29<sup>th</sup>, were absent.

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 3:06 p.m.

**NOTE:** Senator McKoon, 29<sup>th</sup>, arrived at 3:08 p.m.

**NOTE:** Senator Bethel, 54<sup>th</sup>, arrived at 3:08 p.m.

The Chairman introduced himself and the members of the Committee. The Rules of the Committee were discussed. Senator Hill, 6<sup>th</sup>, made a motion to adopt the Rules of the Committee and Senator Crane, 28<sup>th</sup>, seconded the motion. The motion carried 6-0. A copy of the Rules of the Committee is attached to these minutes.

With no further business, the meeting was adjourned at 3:09 p.m.

Respectfully Submitted,

/s/ Senator Jesse Stone, 23<sup>rd</sup>, Chairman

/s/ Donna Yeomans, Recording Secretary

**SENATE JUDICIARY NON-CIVIL COMMITTEE RULES**  
**2015 - 2016**

1. Quorum of the Committee shall be five (5) members. Every member, including ex-officio members, shall count as a voting member for purposes of establishing a quorum at any given meeting.
2. The Chairman shall determine which bills, resolutions, substitutes, or amendments are to be considered and the order in which said measures are considered; the Chairman shall have the authority and discretion to call a bill, resolution, substitute or amendment for debate and explanation only or to limit consideration of such measures.
3. Each author, or his or her designee, requesting a Committee hearing and/or vote on a bill shall make such request in writing no later than forty-eight (48) hours prior to the scheduled meeting of the Committee, except at the discretion of the Chairman.
4. The Chairman shall have the authority to refer bills and resolutions to Subcommittee for study. Such Subcommittees in turn shall have the authority to make recommendation on such measures to the full Committee at such times as shall be designated by the Chairman. All actions of the Subcommittees shall be approved or disapproved by the standing Committee.
5. The Chairman shall have the authority to schedule, manage, and regulate the debate on bills, resolutions, substitutes, and amendments, and may in his discretion recognize motions related to such measures and the order in which they are recognized.
6. When a bill or resolution is before the Committee for consideration, and multiple, concurrent motions are made, the following shall be the precedence of the motions:
  1. A motion to postpone to a time certain;
  2. A motion to refer a bill to a subcommittee;
  3. A motion that a bill do pass;
  4. A motion that a bill do not pass.(All motions listed above shall receive a second before consideration.)
7. The Committee shall convene, recess, and adjourn upon the order of the Chairman.
8. A bill or resolution will be considered only after presentation by its principal author or other legislator whom he/she may designate unless otherwise directed by the Chairman. The principal author shall be the legislator whose name appears first on the list of authors. The Committee shall not vote on any bill until the author or his or her designee has been given the opportunity to appear and be heard.
9. The Chairman reserves the right to delay or decline action on substitutes and amendments not provided to the Chairman in writing at least 24 hours prior to the hearing in which they are presented.

10. The Chairman shall not vote unless the Committee shall be equally divided or unless his or her vote if given in the minority will make the division equal. In case the vote is equally divided, the Chairman must vote.
11. Any member or members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report if they so desire.
12. These rules may be amended upon a motion duly made and subsequently approved by two-thirds of the members of the Committee.
13. Where these rules are silent on a specific issue, the Rules of the Senate as adopted shall govern. If the Rules of the Senate are silent on a specific issue, Mason's Manual of Legislative Procedure shall govern.

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Wednesday, February 4, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**  
**Senator William Ligon, 3<sup>rd</sup> - Vice Chairman**  
**Senator John Kennedy, 18<sup>th</sup> - Secretary**  
**Senator Charlie Bethel, 54<sup>th</sup>**  
**Senator Mike Crane, 28<sup>th</sup>**  
**Senator Hunter Hill, 6<sup>th</sup>**  
**Senator Harold Jones, II, 22<sup>nd</sup>**  
**Senator Elena Parent, 42<sup>nd</sup>**

**NOTE:** Senators Fort, 39<sup>th</sup>, and Josh McKoon, 29<sup>th</sup>, were absent.

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 3:05 p.m.

**SB 8, Senator Unterman, 45<sup>th</sup>, Crimes and Offenses: children who have been sexually exploited; make provisions; create Safe Harbor for Sexually Exploited Children Fund Commission**

Senator Unterman, 45<sup>th</sup>, and Rep. Andy Welch, 110<sup>th</sup>, presented the bill to the Committee and offered a substitute LC 29 6312S to replace LC 29 6297S. Mr. Chuck Spahos from the Prosecuting Attorney's Council spoke in favor of the bill. Tonya Ditty from the Concerned Women of America signed up to speak in favor of the bill but had to leave before the comment period. She provided a written statement of support. This was a hearing only and no action was taken.

**HEARING ONLY**

**SR 7, Senator Unterman, 45<sup>th</sup>, Safe Harbor for Sexually Exploited Children Fund; provide that General Assembly by law may impose additional penalties or fees for the offenses - CA**

Senator Unterman, 45<sup>th</sup>, and Rep. Andy Welch, 110<sup>th</sup>, presented the bill to the Committee and offered a substitute LC 29 6299S. This was a hearing only and no action was taken.

**HEARING ONLY**

With no further business, the meeting was adjourned at 4:20 p.m.

Respectfully Submitted,

/s/ Senator John Kennedy, 18<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Monday, February 9, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**  
**Senator William Ligon, 3<sup>rd</sup> - Vice Chairman**  
**Senator John Kennedy, 18<sup>th</sup> - Secretary**  
**Senator Charlie Bethel, 54<sup>th</sup>**  
**Senator Mike Crane, 28<sup>th</sup>**  
**Senator Vincent Fort, 39<sup>th</sup>**  
**Senator Hunter Hill, 6<sup>th</sup>**  
**Senator Harold Jones, II, 22<sup>nd</sup>**  
**Senator Elena Parent, 42<sup>nd</sup>**  
**Senator Josh McKoon, 29<sup>th</sup> – Ex-Officio**

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 4:11 p.m.

**SB 8, Senator Unterman, 45<sup>th</sup>, Crimes and Offenses: children who have been sexually exploited; make provisions; create Safe Harbor for Sexually Exploited Children Fund Commission**

Senator Unterman, 45<sup>th</sup>, presented the bill to the Committee and presented a substitute LC 29 6324S. She additionally presented an amendment AM LC 29 2342 to clean up some additional language. Heather Stockdale, the Executive Director from Georgia Cares; Rachel, a victim/champion; Rusi Patel from Georgia Municipal Association; Mike Ennis, President and CEO from Wellsprings Living; Jennifer Swan from Youth Spark and Frank Mulcahy from the GA Catholic Conference spoke in favor of the bill. Tonya Ditty from Concerned Women for America spoke to the issue but did not have a position on the legislation. Senator Bethel, 54<sup>th</sup>, made a motion to amend SB 8 (LC 29 6324S) with AM 29 2342. Senator Fort, 39<sup>th</sup>, seconded the motion. The motion passed 9-0.

Senator Bethel, 54<sup>th</sup>, made a motion that SB 8 DO PASS by Substitute.

Senator Fort, 39<sup>th</sup>, seconded the motion. The motion passed 8-1 with Senator Hill, 6<sup>th</sup>, voting against.

**SB 8 DO PASS BY SUBSTITUTE**

**SR 7, Senator Unterman, 45<sup>th</sup>, Safe Harbor for Sexually Exploited Children Fund; provide that General Assembly by law may impose additional penalties or fees for the offenses- CA**

Senator Unterman, 45<sup>th</sup>, presented the resolution to the Committee and offered a substitute LC 29 6299S. Pamela Perkins Carn and Rev. Elijah Hill from Interfaith Children's Movement spoke in favor of the resolution. Vernon Keenan from Georgia Bureau of Investigation spoke to the bill.

Senator Bethel, 54<sup>th</sup>, made a motion that SR 7 DO PASS by Substitute. Senator Fort, 39<sup>th</sup>, seconded the motion. The motion passed 8-1 with Senator Hill, 6<sup>th</sup>, voting against.

**SR 7 DO PASS BY SUBSTITUTE**

**SB 79, Senator Unterman, 45<sup>th</sup>, Victim Compensation; expand the Criminal Justice Coordinating Council's powers and duties relative to claims**

Senator Unterman, 45<sup>th</sup>, presented the bill to the Committee. Jaquelin Bunn and Steven Hatfield, Executive Director and Deputy Director from the Criminal Justice Coordinating Council spoke for the bill.

Senator Bethel, 54<sup>th</sup>, made a motion to amend by striking all text beginning on line 9 through line 50 and renumber the sections accordingly. Senator Ligon, 3<sup>rd</sup>, seconded the motion. The motion passed 9-0.

Senator Bethel, 54<sup>th</sup>, made a motion that SB 79 DO PASS by Substitute. Senator Hill, 6<sup>th</sup>, seconded the motion. The motion passed 9-0.

**SB 79 DO PASS BY SUBSTITUTE**

With no further business, the meeting was adjourned at 5:11 p.m.

Respectfully Submitted,

/s/ Senator John Kennedy, 18<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Wednesday, February 11, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**  
**Senator William Ligon, 3<sup>rd</sup> –Vice- Chairman**  
**Senator John Kennedy, 18<sup>th</sup> - Secretary**  
**Senator Charlie Bethel, 54<sup>th</sup>**  
**Senator Mike Crane, 28<sup>th</sup>**  
**Senator Hunter Hill, 6<sup>th</sup>**  
**Senator Harold Jones, II, 22<sup>nd</sup>**  
**Senator Elena Parent, 42<sup>nd</sup>**  
**Senator Josh McKoon, 29<sup>th</sup> – Ex-Officio**

**NOTE:** Senator Vincent Fort, 39<sup>th</sup>, was absent.

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 3:05 p.m.

**NOTE:** Senator Hill, 6<sup>th</sup>, left at 3:40 p.m.

**SB 77, Senator Albers, 56<sup>th</sup>, DNA Sampling, Collection, and Analysis; provide for analysis and collection of DNA for individuals arrested and convicted of felony offenses.**

Senator Albers, 56<sup>th</sup>, presented the bill to the Committee. Chuck Spahos from Prosecuting Attorney’s Council; Terry Norris from the Sheriff’s Association; Vernon Keenan from the GBI; spoke in support of the bill. Sandra Michaels from the Georgia Association of Criminal Defense Lawyers spoke in opposition.

The Chairman stated that he was referring the bill to a Subcommittee to perfect the legislation. The Subcommittee will be chaired by Senator Bethel, 54<sup>th</sup>, with Senator Crane, 28<sup>th</sup>, and Senator Jones, 22<sup>nd</sup>, to serve as members. The Subcommittee is charged with addressing the following issues:

- 1) Which agency takes the samples?
- 2) How does probable cause fit in?
- 3) Explore/address “serious felonies”

**HEARING ONLY**

With no further business, the meeting was adjourned at 3:52 p.m.



Respectfully Submitted,

/s/ Senator John Kennedy, 18<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Wednesday, February 18, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**

**Senator Charlie Bethel, 54<sup>th</sup>**

**Senator Mike Crane, 28<sup>th</sup>**

**Senator Hunter Hill, 6<sup>th</sup>**

**Senator Harold Jones, II, 22<sup>nd</sup>**

**Senator Elena Parent, 42<sup>nd</sup>**

**NOTE:** Senators Ligon, 3<sup>rd</sup>, Kennedy, 18<sup>th</sup>, Fort, 39<sup>th</sup>, McKoon, 29<sup>th</sup>, were absent.

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 3:12 p.m.

**NOTE:** Senator Kennedy, 18<sup>th</sup>, arrived at 3:17 p.m.

**SB 35, Senator James, 35<sup>th</sup>, Crimes and Offenses; provide leaving certain children in vehicles; cruelty to children in the third degree.**

Senator James, 35<sup>th</sup>, presented the bill to the Committee. No one spoke for or against the bill. The Chairman asked Senator James, 35<sup>th</sup>, to provide the Committee with information on how other states are dealing with this issue.

**HEARING ONLY**

With no further business, the meeting was adjourned at 3:33 p.m.

Respectfully Submitted,

/s/ Senator John Kennedy, 18<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Monday, February 23, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**  
**Senator John Kennedy, 18<sup>th</sup> - Secretary**  
**Senator Charlie Bethel, 54<sup>th</sup>**  
**Senator Mike Crane, 28<sup>th</sup>**  
**Senator Hunter Hill, 6<sup>th</sup>**  
**Senator Harold Jones, II, 22<sup>nd</sup>**  
**Senator Elena Parent, 42<sup>nd</sup>**

**NOTE:** Senators Ligon, 3<sup>rd</sup>, Fort, 39<sup>th</sup>, McKoon, 29<sup>th</sup>, were absent.

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 4:05 p.m.

**SB 94, Senator Bethel, 54<sup>th</sup>, Criminal Procedure; require a procedure for enhancing witness identification accuracy.**

Senator Bethel, 54<sup>th</sup>, presented the bill to the Committee and offered a substitute LC 6386S. Frank Rotondo and Rebecca Brown from the Georgia Association of Police Chiefs; Sandra Michaels and Amy Maxwell from the Georgia Innocence Project all spoke in support of the amended version.

Senator Bethel, 54<sup>th</sup>, offered an amendment to change line 52 to add the following after “words” to read “but without necessarily referencing a numeric or percentage standard”. Senator Bethel, 54<sup>th</sup>, moved to amend the substitute. Senator Jones, II, 22<sup>nd</sup>, seconded the motion. The motion passed 6-0.

Senator Hill, 6<sup>th</sup>, made a motion that SB 94 DO PASS by Substitute. Senator Parent, 42<sup>nd</sup>, seconded the motion. The motion passed 6-0.

**SB 94 DO PASS BY SUBSTITUTE**

**SB 98, Senator Kennedy, 18<sup>th</sup>, Civil Practice and Procedure; reversal on appeal when a judge expresses an opinion regarding proof in civil cases; change provisions.**

Senator Kennedy, 18<sup>th</sup>, presented the bill to the Committee. Bill Clark from Georgia Trial Lawyers Association spoke for the bill. Judge Tilman Self from Council of Superior Court Judges offered to work with the author and Committee members on the amended language. Chairman Stone, 23<sup>rd</sup>, stated that he would hold the bill to provide time for the author to perfect the bill and bring it back to the Committee for action at a later date.

**HEARING ONLY**

With no further business, the meeting was adjourned at 4:58 p.m.

Respectfully Submitted,

/s/ Senator John Kennedy, 18<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Monday, March 2, 2015.

**MEMBERS PRESENT:**

**Senator William Ligon, 3<sup>rd</sup> –Vice-Chairman**

**Senator Charlie Bethel, 54<sup>th</sup>**

**Senator Vincent Fort, 39<sup>th</sup>**

**Senator Harold Jones, II, 22<sup>nd</sup>**

**NOTE:** Senators Stone, 23<sup>rd</sup>, Kennedy, 18<sup>th</sup>, Crane, 28<sup>th</sup>, Hill, 6<sup>th</sup>, Parent, 42<sup>nd</sup>, and McKoon, 29<sup>th</sup>, were absent.

Vice-Chairman Ligon, 3<sup>rd</sup>, called the meeting to order at 3:01 p.m.

**NOTE:** Senator Kennedy, 18<sup>th</sup>, arrived at 3:08 p.m.

**NOTE:** Senator Crane, 28<sup>th</sup>, arrived at 3:15 p.m.

**NOTE:** Senator Parent, 42<sup>nd</sup>, arrived at 3:28 p.m.

**NOTE:** Senator Stone, 23<sup>rd</sup>, arrived at 3:54 p.m.

**SB 45, Senator Fort, 39<sup>th</sup>, "Bou Bou's Law"; provide for the use of no-knock search warrants.**

Senator Fort, 39<sup>th</sup>, presented the bill to the Committee. Catherine Bernard, Criminal Defense Attorney; Tom McCain, Retired Peace Officer; David DeLugas, Exec. Director of the National Association of Parents; Mario Williams, Attorney; Danny Porter, District Attorney's Office; Earl Conlon, citizen; spoke in opposition to the legislation. Sandra Michaels, Georgia Association of Criminal Defense Lawyers and Mawuli Davis, attorney for the family of baby Bou Bou spoke in support of the legislation.

**HEARING ONLY**

Due to the lengthy testimonies given, the Committee ran out of time to take action on the bills on the agenda and the Chairman noted that the bills would be heard in the next meeting.

With no further business, the meeting was adjourned at 4:07 p.m.

Respectfully Submitted,

/s/ Senator John Kennedy, 18<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Wednesday, March 4, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**  
**Senator William Ligon, 3<sup>rd</sup> –Vice-Chairman**  
**Senator Charlie Bethel, 54<sup>th</sup>**  
**Senator Mike Crane, 28<sup>th</sup>**  
**Senator Vincent Fort, 39<sup>th</sup>**  
**Senator Hunter Hill, 6<sup>th</sup>**  
**Senator Harold Jones, II, 22<sup>nd</sup>**  
**Senator Elena Parent, 42<sup>nd</sup>**

**NOTE:** Senators Kennedy, 18<sup>th</sup>, and McKoon, 29<sup>th</sup>, were absent.

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 3:12 p.m.

**SB 195, Senator Williams, 27<sup>th</sup>, Bonds and Recognizances; increase fees allowed for continuing education programs.**

Senator Williams, 27<sup>th</sup>, presented the bill to the Committee. Charles Shaw and Ray Krebs from the Association of Bail Bondsman spoke in favor of the bill.

Senator Bethel, 54<sup>th</sup>, made a motion that SB 195 DO PASS. Senator Ligon, 3<sup>rd</sup>, seconded the motion. The motion passed 6-1 with Senator Crane, 28<sup>th</sup>, voting against.

**SB 195 DO PASS**

**NOTE:** Senator Kennedy, 18<sup>th</sup>, arrived at 3:12 p.m.

**SB 159, Senator Stone, 23<sup>rd</sup>, Searches with Warrants; provide for the use of no-knock search warrants.**

Senator Stone, 23<sup>rd</sup>, presented the bill to the Committee. Garland Favonto, Nicholas Messina, Michael Opite and Derrick Grayson, concerned citizens, spoke against the bill. Catherine Bernard, a criminal defense attorney and Tom McCain also spoke in opposition to the legislation. Chuck Spahos from the Prosecuting Attorney's Council spoke in support of the bill.

Senator Parent, 42<sup>nd</sup>, moved to offer Senator Fort's amendment AM 29 2361. Senator Fort, 39<sup>th</sup>, seconded the motion. The motion to amend passed 5-2 with Senator Kennedy, 18<sup>th</sup>, and Senator Bethel, 54<sup>th</sup>, voting against. Senator Crane, 28<sup>th</sup>, abstained.

Senator Bethel, 54<sup>th</sup>, moved to amend and offered amendment AM 29 2372 and Senator Parent, 42<sup>nd</sup>, seconded the motion. The motion to amend passed 6-2 with Senator Jones, 22<sup>nd</sup>, and Senator Kennedy, 18<sup>th</sup>, voting against.

Senator Stone, 23<sup>rd</sup>, moved to amend and offered amendment AM 29 2362 and Senator Hill, 6<sup>th</sup>, seconded the motion. The motion to amend passed 8-0.

Senator Crane, 28<sup>th</sup>, moved to amend by striking all text from line 61 beginning at the word “unless” and continuing to strike through the end of line 85. The Chairman ruled the amendment out of order as it would be a substantive change.

Senator Crane, 28<sup>th</sup>, moved to table the bill. There was no second.

Senator Hill, 6<sup>th</sup>, moved to amend on line 68 by adding the word “or” after human life and striking the words “or would be futile” on line 69. Senator Bethel, 54<sup>th</sup>, seconded the motion. The motion to amend passed 8-0.

Senator Bethel, 54<sup>th</sup>, made a motion that SB 159 DO PASS by Substitute. Senator Jones, 22<sup>nd</sup>, seconded the motion. The motion passed 7-1 with Senator Crane, 28<sup>th</sup> voting against.

**SB 159 DO PASS BY SUBSTITUTE**

**NOTE:** Senator Fort, 39<sup>th</sup>, left at 4:36 p.m.

**NOTE:** Senator Ligon, 3<sup>rd</sup>, left at 4:36 p.m.

**SB 77, Senator Albers, 56<sup>th</sup>, DNA Sampling, Collection, and Analysis; provide for analysis and collection of DNA for individuals arrested and convicted of felony offenses.**

Senator Bethel, 54<sup>th</sup>, presented the bill to the Committee and offered a substitute LC 29 6492S. Chuck Spahos from the Prosecuting Attorney’s Council spoke in support of the bill.

Senator Bethel, 54<sup>th</sup>, made a motion that SB 77 DO PASS by Substitute. Senator Hill, 6<sup>th</sup>, seconded the motion. The motion passed 6-0.

**SB 77 DO PASS BY SUBSTITUTE**

**NOTE:** Senator Fort, 39<sup>th</sup>, returned at 4:40 p.m.

**NOTE:** Senator Ligon, 3<sup>rd</sup>, returned at 4:44 p.m.

**NOTE:** Senator Bethel, 54<sup>th</sup>, left at 4:50 p.m.

**SB 154, Senator Stone, 23<sup>rd</sup>, Public Order and Safety, Offenses Against; provide for law enforcement officials to record in private places/during execution of a search warrant.**

Senator Stone, 23<sup>rd</sup>, presented the bill to the Committee. Chuck Spahos from the Prosecuting Attorney’s Council spoke in support of the bill.

Senator Jones, 22<sup>nd</sup>, made a motion that SB 154 DO PASS. Senator Ligon, 3<sup>rd</sup>, seconded the motion. The motion passed 7-0.

**SB 154 DO PASS**

**NOTE:** Senator Ligon, 3<sup>rd</sup>, left at 4:57 p.m.

**SB 35, Senator James, 35<sup>th</sup>, Crimes and Offenses; provide leaving certain children in vehicles; cruelty to children in the third degree.**

Senator James, 35<sup>th</sup>, presented the bill to the Committee. No one spoke for or against the bill.

Senator Crane, 28<sup>th</sup>, moved to amend on line 17 to replace the word “that” with “than.” Senator Kennedy, 18<sup>th</sup>, seconded the motion. The motion to amend passed 6-0.

Senator Parent, 42<sup>nd</sup>, moved to amend by striking on line 17 the words “for a period of time” and replace it with the words “under circumstances.” Senator Crane, 28<sup>th</sup>, seconded the motion. The motion to amend passed 6-0.

**NOTE:** Senator Ligon, 3<sup>rd</sup>, returned at 5:05 p.m.

Senator Parent, 42<sup>nd</sup>, made a motion that SB 35 DO PASS by Substitute. Senator Jones, 22<sup>nd</sup>, seconded the motion. The motion passed 7-0.

**SB 35 DO PASS BY SUBSTITUTE**

**SB 99, Senator Kennedy, 18<sup>th</sup>, Conduct of Proceedings; reversal on appeal; judge expresses an opinion regarding proof in a criminal case; change provisions.**

Senator Kennedy, 18<sup>th</sup>, presented the bill to the Committee and offered a substitute LC 39 1002S. Catherine Bernard, a criminal defense attorney, spoke against the bill. Judge Self and Chuck Spahos from the Prosecuting Attorney’s Council spoke in support of the bill.

Senator Parent, 42<sup>nd</sup>, moved to amend by reordering the words on line 20 to read after the word contemporaneous “objection and inform the court of the specific objection and the grounds for such objection, outside of the jury’s hearing and presence.” Senator Crane, 28<sup>th</sup>, seconded the motion. The motion to amend passed 5-2 with Senators Ligon, 3<sup>rd</sup>, and Kennedy, 18<sup>th</sup>, voting against.

Senator Parent, 42<sup>nd</sup> moved to amend line 20 by striking the word “contemporaneous” and insert the word “during the trial.” Senator Parent, 42<sup>nd</sup>, received unanimous consent to withdraw her amendment.

Senator Ligon, 3<sup>rd</sup>, made a motion that SB 99 DO PASS by Substitute. Senator Hill, 6<sup>th</sup>, seconded the motion. The motion passed 4-3 with Senators Parent, 42<sup>nd</sup>, Fort, 39<sup>th</sup>, and Jones, 22<sup>nd</sup>, voting against.

**SB 99 DO PASS BY SUBSTITUTE**

With no further business, the meeting was adjourned at 5:37 p.m.



Respectfully Submitted,

/s/ Senator John Kennedy, 18<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Monday, March 9, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**  
**Senator John Kennedy, 18<sup>th</sup> - Secretary**  
**Senator Charlie Bethel, 54<sup>th</sup>**  
**Senator Hunter Hill, 6<sup>th</sup>**  
**Senator Harold Jones, II, 22<sup>nd</sup>**  
**Senator Elena Parent, 42<sup>nd</sup>**

**NOTE:** Senators Ligon, 3<sup>rd</sup>, Crane, 28<sup>th</sup>, Fort, 39<sup>th</sup>, and McKoon, 29<sup>th</sup>, were absent.

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 4:05 p.m.

**NOTE:** Senator Crane, 28<sup>th</sup>, arrived at 4:06 p.m.

**NOTE:** Senator Fort, 39<sup>th</sup>, arrived at 4:13 p.m.

**HB 211, Representative Broadrick, 4th Controlled substances; Schedule I, III, and IV; change certain provisions.**

Representative Broadrick, 4<sup>th</sup>, presented the bill to the Committee. No one spoke for or against the bill.

Senator Bethel, 54<sup>th</sup>, made a motion that HB 211 DO PASS. Senator Parent, 42<sup>nd</sup>, seconded the motion. The motion passed 7-0. Senator Ben Watson, 1<sup>st</sup> will carry the bill in the Senate.

**HB 211 DO PASS**

With no further business, the meeting was adjourned at 4:22 p.m.

Respectfully Submitted,

/s/ Senator John Kennedy, 18<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Wednesday, March 11, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**

**Senator John Kennedy, 18<sup>th</sup> - Secretary**

**Senator Mike Crane, 28<sup>th</sup>**

**Senator Harold Jones, II, 22<sup>nd</sup>**

**NOTE:** Senators Ligon, 3<sup>rd</sup>, Bethel, 54<sup>th</sup>, Fort, 39<sup>th</sup>, Hill, 6<sup>th</sup>, Parent, 42<sup>nd</sup>, and McKoon, 29<sup>th</sup>, were absent.

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 5:06 p.m. for a hearing only. A quorum was not required as no vote was to be taken.

**NOTE:** Senator Fort, 39<sup>th</sup>, arrived at 5:25 p.m.

**HB 328, Representative Efstration, 104<sup>th</sup>, Adult offenders; enact reforms recommended by Georgia Council on Criminal Justice Reform**

Representative Efstration, 104<sup>th</sup>, presented the bill to the Committee. Eric Ellman from Consumer Data Industry Association spoke for the bill. Thomas Worthy from the State Bar spoke for the bill. This was a hearing only and no vote was taken.

**HEARING ONLY**

**HB 233, Representative Atwood, 179<sup>th</sup>, Georgia Uniform Civil Forfeiture Procedure Act; enact**

Representative Atwood, 179<sup>th</sup>, presented the bill to the Committee. Letters of support from Georgia Association of Chief of Police and the Georgia Sheriff's Association were distributed. Danny Bergmen of the Gwinett District Attorney's Office spoke in support of the bill. Danny Porter and Chuck Spahos from Prosecuting Attorneys Council also spoke in favor of the bill. This was a hearing only and no vote was taken.

**HEARING ONLY**

With no further business, the meeting was adjourned at 5:36 p.m.

Respectfully Submitted,

/s/ Senator John Kennedy, 18<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Wednesday, March 18, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**  
**Senator William Ligon, 3<sup>rd</sup> - Vice Chairman**  
**Senator John Kennedy, 18<sup>th</sup> - Secretary**  
**Senator Mike Crane, 28<sup>th</sup>**  
**Senator Vincent Fort, 39<sup>th</sup>**  
**Senator Harold Jones, II, 22<sup>nd</sup>**

**NOTE:** Senators Bethel, 54<sup>th</sup>, Hill, 6<sup>th</sup>, Parent, 42<sup>nd</sup>, and McKoon, 29<sup>th</sup>, were absent.

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 3:03 p.m.

**NOTE:** Senator Parent, 42<sup>nd</sup>, arrived at 3:06 p.m.

**NOTE:** Senator Hill, 6<sup>th</sup>, arrived at 3:09 p.m.

**HB 233, Representative Atwood, 179<sup>th</sup>, Georgia Uniform Civil Forfeiture Procedure Act; enact.**

Representative Atwood, 179<sup>th</sup>, presented the bill to the Committee. Gary Bergman from Prosecuting Attorneys Council spoke for the bill.

Senator Ligon, 3<sup>rd</sup>, made a motion that HB 233 DO PASS. Senator Kennedy, 18<sup>th</sup>, seconded the motion. The motion passed 7-0. Senator Stone, 23<sup>rd</sup>, will carry the bill in the Senate.

**HB 233 DO PASS**

With no further business, the meeting was adjourned at 3:21 p.m.

Respectfully Submitted,

/s/ Senator John Kennedy, 18<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Monday, March 23, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**  
**Senator William Ligon, 3<sup>rd</sup> -Vice-Chairman**  
**Senator John Kennedy, 18<sup>th</sup> - Secretary**  
**Senator Charlie Bethel, 54<sup>th</sup>**  
**Senator Mike Crane, 28<sup>th</sup>**  
**Senator Harold Jones, II, 22<sup>nd</sup>**  
**Senator Elena Parent, 42<sup>nd</sup>**

**NOTE:** Senators Fort, 39<sup>th</sup>, Hill, 6<sup>th</sup>, and McKoon, 29<sup>th</sup>, were absent.

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 4:09 p.m.

**NOTE:** Senator Fort, 39<sup>th</sup>, arrived at 4:10 p.m.

**NOTE:** Senator Hill, 6<sup>th</sup>, arrived at 4:20 p.m.

**NOTE:** Senator McKoon, 29<sup>th</sup>, arrived at 4:23 p.m.

**NOTE:** Senator Parent, 42<sup>nd</sup>, left at 4:32 p.m.

**HB 71, Representative Tanner, 9<sup>th</sup>, Pardons and paroles; provide input and transparency relative to granting a parole or commutation of a death sentence to a life sentence; provisions.**

Representative Tanner, 71<sup>st</sup>, presented the bill to the Committee and introduced a substitute LC 29 6613S. Marissa Dodson from Georgia Justice Project spoke against the bill. Jake Arbes from Georgia Association of Criminal Defense Lawyers spoke for and against different portions of the bill. Chuck Spahos from the Prosecuting Attorney's Council spoke in favor of the bill. Chairman Terry Barnard and Laquandra Smith from the Georgia Department of Pardons and Paroles spoke to the bill.

Senator McKoon, 29<sup>th</sup>, made a motion to table the bill. Senator Crane, 28<sup>th</sup>, seconded the motion. The motion failed 2-6 with Senators McKoon, 29<sup>th</sup>, and Crane, 28<sup>th</sup>, voting in support and Senators Ligon, 3<sup>rd</sup>, Kennedy, 18<sup>th</sup>, Bethel, 54<sup>th</sup>, Jones, 22<sup>nd</sup>, Fort, 39<sup>th</sup>, and Hill, 6<sup>th</sup>, voting against.

Senator Ligon, 3<sup>rd</sup>, made a motion that HB 71 DO PASS by Substitute. Senator Kennedy, 18<sup>th</sup>, seconded the motion. The motion passed 8-0. Senator Steve Gooch, 51<sup>st</sup>, will carry the bill in the Senate.

**HB 71 DO PASS BY SUBSTITUTE**

**HB 361, Representative Welch, 110<sup>th</sup>, Juvenile Code; enact reforms as recommended by Georgia Council on Criminal Justice reforms; provisions.**

Representative Welch, 110<sup>th</sup>, presented the bill to the Committee. No one spoke for or against the bill.

Senator Bethel, 54<sup>th</sup>, made a motion that HB 361 DO PASS. Senator Hill, 6<sup>th</sup>, seconded the motion.

The motion passed 8-0. Senator Kennedy, 18<sup>th</sup>, will carry the bill in the Senate.

**HB 361 DO PASS**

**HB 328, Representative Efstoration, 104<sup>th</sup>, Adult offenders; enact reforms recommended by Georgia Council on Criminal Justice Reform**

Representative Efstoration, 104<sup>th</sup>, presented the bill to the Committee and introduced a substitute LC 29 6604-ECS. Stephan Halfgood, Deputy Director of the Criminal Justice Oversight Committee spoke for the bill.

Senator Kennedy, 18<sup>th</sup>, made a motion that HB 328 DO PASS by Substitute. Senator Bethel, 54<sup>th</sup>, seconded the motion. The motion passed 8-0. Senator Kennedy, 18<sup>th</sup>, will carry the bill in the Senate.

**HB 328 DO PASS BY SUBSTITUTE**

**NOTE:** Senator Parent, 42<sup>nd</sup>, returned at 5:39 p.m.

**NOTE:** Senator Crane, 28<sup>th</sup>, left at 5:40 p.m.

**NOTE:** Senator McKoon, 29<sup>th</sup>, left at 5:40 p.m.

**NOTE:** Senator Hill, 6<sup>th</sup>, left at 5:40 p.m.

**HB 263, Representative Coomer, 14<sup>th</sup>, Criminal Justice Coordinating Council; advisory board to the council for juvenile justice issues; provide.**

Representative Coomer, 14<sup>th</sup>, presented the bill to the Committee and presented a substitute LC 6609 ER-ECS. No one spoke for or against the bill.

Senator Bethel, 54<sup>th</sup>, made a motion that HB 263 DO PASS by Substitute. Senator Parent, 42<sup>nd</sup>, seconded the motion. The motion passed 6-0. Senator Kennedy, 18<sup>th</sup>, will carry the bill in the Senate.

**HB 263 DO PASS BY SUBSTITUTE**

With no further business, the meeting was adjourned at 5:45 p.m.

Respectfully Submitted,

/s/ Senator John Kennedy, 18<sup>th</sup>, Secretary

/s/ Donna Yeomans, Recording Secretary

**SENATE COMMITTEE ON JUDICIARY NON-CIVIL** met in Room 307 of the Coverdell Legislative Office Building, Wednesday, March 25, 2015.

**MEMBERS PRESENT:**

**Senator Jesse Stone, 23<sup>rd</sup> - Chairman**  
**Senator William Ligon, 3<sup>rd</sup> –Vice-Chairman**  
**Senator Charlie Bethel, 54<sup>th</sup>**  
**Senator Mike Crane, 28<sup>th</sup>**  
**Senator Vincent Fort, 39<sup>th</sup>**  
**Senator Harold Jones, II, 22<sup>nd</sup>**  
**Senator Elena Parent, 42<sup>nd</sup>**  
**Senator Josh McKoon, 29<sup>th</sup> – Ex-Officio**

**NOTE:** Senators Kennedy, 18<sup>th</sup>, and Hill, 6<sup>th</sup>, were absent.

Chairman Stone, 23<sup>rd</sup>, called the meeting to order at 4:40 p.m.

**HB 103, Representative Belton, 112<sup>th</sup>, Kelsey's Law; enact**

Representative Belton, 112<sup>th</sup>, presented the bill to the Committee. Liz Spire, a victim, and Danny Porter, from the District Attorney's Office, spoke in support of the bill.

Senator Bethel, 54<sup>th</sup>, made a motion that HB 103 DO PASS. Senator Ligon, 3<sup>rd</sup>, seconded the motion. The motion passed 7-0. Senator Rick Jeffares, 17<sup>th</sup>, will carry the bill in the Senate.

**HB 103 DO PASS**

**NOTE:** Senator McKoon, 29<sup>th</sup>, left at 4:55 p.m.

**NOTE:** Senator Jones, II, 22<sup>nd</sup>, left at 4:57 p.m.

**NOTE:** Senator Ligon, 3<sup>rd</sup>, left at 5:01 p.m.

**HB 304, Representative Hightower, 68<sup>th</sup>, Criminal procedure; fixing of sentence; clarify service of consecutive sentences.**

Representative Hightower, 68<sup>th</sup>, presented the bill to the Committee and offered amendment AM 29 2407. No one spoke for or against the bill.

Senator Bethel, 54<sup>th</sup>, made a motion that HB 304 be amended with the language in AM 29 2407 for the purpose of creating a Committee substitute. Senator Parent, 42<sup>nd</sup>, seconded the motion. The motion passed 4-0.

Senator Bethel, 54<sup>th</sup>, made a motion that HB 304 DO PASS by Substitute. Senator Crane, 28<sup>th</sup>, seconded the motion. The motion passed 4-0. Senator Stone, 23<sup>rd</sup>, will carry the bill in the Senate.

**HB 304 DO PASS BY SUBSTITUTE**

**HB 352, Representative Strickland, 111<sup>th</sup>, Criminal procedure; change provisions relating to discovery in misdemeanor cases; provisions.**

Representative Strickland, 111<sup>th</sup>, presented the bill to the committee. No one spoke for or against the bill.

Senator Bethel, 54<sup>th</sup>, made a motion that HB 352 DO PASS. Senator Crane, 28<sup>th</sup>, seconded the motion. The motion passed 4-0. Senator Bethel, 54<sup>th</sup>, will carry the bill in the Senate.

**HB 352 DO PASS**

**HB 268, Representative Ballinger, 23<sup>rd</sup>, Child abuse; mandatory reporters; change provisions.**

Representative Ballinger, 23<sup>rd</sup>, presented the bill to the Committee. No one spoke for or against the bill.

Senator Bethel, 54<sup>th</sup>, made a motion that HB 268 be amended on lines 55 and 56 by changing “receives reliable” to read “ have reasonable cause to believe.” Senator Fort, 39<sup>th</sup>, seconded the motion.

Senator Bethel, 54<sup>th</sup>, made a motion that HB 268 DO PASS by Substitute. Senator Fort, 39<sup>th</sup>, seconded the motion. The motion passed 4-0. Senator Wilkinson, 50<sup>th</sup>, will carry the bill in the Senate.

**HB 268 DO PASS BY SUBSTITUTE**

**HB 452, Representative Ballinger, 23<sup>rd</sup>, Protective Order Registry Act; enact.**

Representative Ballinger, 23<sup>rd</sup>, presented the bill to the Committee. Thomas Weaver, a private citizen spoke to the bill. Terry Norris from Sheriff’s Association spoke in support of the bill.

Senator Bethel, 54<sup>th</sup>, made a motion to amend by inserting on line 52 after the word “orders” “or modification thereof.” Senator Crane, 28<sup>th</sup>, seconded the motion.

Senator Bethel, 54<sup>th</sup>, made a motion that HB 452 DO PASS by Substitute. Sen. Fort, 39<sup>th</sup>, seconded the motion. The motion passed 4-0. Senator Jones, II, 22<sup>nd</sup>, will carry the bill in the Senate.

**HB 452 DO PASS BY SUBSTITUTE**

**HB 89, Representative Bruce, 61<sup>st</sup>, Drug-free commercial zones; date of incorporation of local ordinances by reference; change**

Representative Efstraction, 104<sup>th</sup>, presented the bill to the Committee. No one spoke for or against the bill.

Senator Fort, 39<sup>th</sup>, made a motion that HB 89 DO PASS. Senator Parent, 42<sup>nd</sup>, seconded the motion. The motion passed 4-0. Senator Donzella James, 35<sup>th</sup>, will carry the bill in the Senate.

**HB 89 DO PASS**



With no further business, the meeting was adjourned at 5:31 p.m.

Respectfully Submitted,

/s/ Senator Jesse Stone, 23<sup>rd</sup>, Chairman

/s/ Donna Yeomans, Recording Secretary

April 2, 2015

Office of the Secretary of the Senate  
353 State Capitol  
Atlanta, Georgia 30334

Dear Mr. Cook:

On behalf of the Senate Judiciary Non-Civil Chairman, Senator Jesse Stone, 23<sup>rd</sup>, and as recording secretary for the committee, the following committee bills and resolutions are respectfully returned to you.

[Senate Bill 7](#)

[Senate Bill 45](#)

[Senate Bill 47](#)

[Senate Bill 48](#)

[Senate Bill 50](#)

[Senate Bill 98](#)

[Senate Bill 177](#)

[Senate Bill 193](#)

[Senate Bill 198](#)

[Senate Resolution 6](#)

[Senate Resolution 336](#)

[Senate Resolution 381](#)

[Senate Resolution 382](#)

No action was taken by the committee on the above legislation for the 2015 legislative Session.

Respectfully Submitted,

Donna Yeomans,  
Recording Secretary