

**THE SENATE COMMITTEE ON JUDICIARY
2018 ROSTER**

Sen. Jesse Stone, Chairman

District 23

827 N. Liberty Street
Waynesboro, GA 30830

Sen. William Ligon, Jr.

District 3

158 Scranton Connector
Brunswick, GA 31525

Sen. Bill Cowsert, Vice Chairman

District 46

P.O. Box 512
Athens, GA 30603

Sen. Joshua McKoon

District 29

P.O. Box 2565
Columbus, GA 31902

Sen. Blake Tillery, Secretary

District 19

404 Durden Street
Vidalia, GA 30474

Sen. Elena Parent

District 42

774 Springdale Rd NE
Atlanta, GA 30306

Sen. Harold Jones, II

District 22

437 Walker Street
Augusta, GA 30901

Sen. Michael "Doc" Rhett

District 33

P.O. Box 777
Marietta, GA 30061

Sen. John Kennedy

District 18

231 Riverside Drive
Macon, GA 31201

Sen. Brian Strickland

District 17

P.O. Box 1895
McDonough, GA 30253

Sen. Greg Kirk

District 13

P.O. Box 6085
Americus, GA 31709

Sen. Curt Thompson

District 5

6320 Glenbrook Drive
Tucker, GA 30084

THE SENATE COMMITTEE ON JUDICIARY
2017-2018 RULES

1. Quorum of the Committee shall be seven (7) 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.

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
January 10, 2018

The Senate Committee on Judiciary held its first meeting of the 2018 Legislative Session on Wednesday, January 10, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman (Arrived Late)
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd)
Sen. John Kennedy (18th)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd)
Sen. Josh McKoon (29th)
Sen. Elena Parent (42nd)
Sen. Curt Thompson (5th)
Sen. Michael Rhett (33rd)

Chairman Stone (23rd) called the meeting to order at 4:06 p.m.

Sen. Renee Unterman (45th) was appointed to serve as an Ex-Officio member of the Senate Judiciary Committee for the committee meeting held on January 10, 2018. A copy of her appointment letter follows.

NOTE: Sen. Cowsert (46th) arrived at 4:11 p.m.

[HB 159](#) (Rep. Reeves, 34th, LC 29 7393ERS), Domestic relations; adoption; substantially revise general provisions

Rep. Reeves (34th) presented the bill to the Committee.

The following spoke in favor of the bill:

Ms. Irene Munn, Office of the Lieutenant Governor

Ms. Ann Purvis, Office of the President Pro Tempore

Sen. Tillery (19th) made a motion to **Amend HB 159** for the purpose of creating a Committee substitute by striking on lines 1140 through 1141 the words “during the last three months of her pregnancy and for six weeks postpartum”, on line 1144 striking “6” and replacing it with “5”, on line 1146 striking “7” and replacing it with “6”, on lines 1153 through 1155 striking the words “

including an accounting for all funds disbursed through the attorney's trust account in accordance with subsection (c) of Code Section 19-8-24", on line 1950 adding "if paid by a licensed child-placing agency or an attorney" after the word "child", and on line 1956 replacing the word "license" with the word "licensed". Sen. Kirk (13th) seconded the motion. The motion passed unanimously.

Sen. Cowsert (46th) made a motion that **HB 159 Do Pass by Substitute (LC 29 7730ERS)**. Sen. Ligon (3rd) seconded the motion. The motion passed 9-2.

Sen. Cowsert (46th), Sen. Tillery (19th), Sen. Kennedy (18th), Sen. Kirk (13th), Sen. Ligon (3rd), Sen. McKoon (29th), Sen. Thompson (5th), Sen. Unterman (45th), and Sen. Rhett (33rd) voted in favor.

Sen. Jones II (22nd) and Sen. Parent (42nd) voted against.

HB 159 DO PASS BY SUBSTITUTE (LC 29 7730ERS)

With no further business, the meeting was adjourned at 4:53 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

Mr. David Cook
Secretary of the Senate
353 State Capitol
Atlanta, GA 30334

Dear David:

In accordance with the Senate Rules, the Senate Committee on Assignments hereby appoints Senator Renee Unterman to serve as Ex-Officio for the Senate Judiciary meeting on January 10, 2018. This appointment shall expire upon adjournment of the committee meeting.

Sincerely,

/s/ Casey Cagle
Lt. Governor Casey Cagle
President of the Senate

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
January 18, 2018

The Senate Committee on Judiciary held its second meeting of the 2018 Legislative Session on Thursday, January 18, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd)
Sen. Greg Kirk (13th)
Sen. Josh McKoon (29th)
Sen. Elena Parent (42nd)
Sen. Michael Rhett (33rd) (Arrived Late)
Sen. Brian Strickland (17th)

NOTE: Sen. Kennedy (18), Sen. Ligon (3rd), and Sen. Thompson (5th) were absent.

Chairman Stone (23rd) called the meeting to order at 4:28 p.m.

NOTE: Sen. Rhett (33rd) arrived at 4:36 p.m.

[SB 194](#) (Sen. Stone, 23rd, LC 29 7415ER), Garnishment Proceedings; maximum part of disposable earnings subject to garnishment; change

Sen. Stone (23rd) presented the bill to the Committee.

Mr. Adam Cleveland from the Georgia Creditors Council spoke in favor of the bill.

Sen. Tillery (19th) made a motion to **Amend SB 194** for the purpose of creating a committee substitute by adding after line 203 a new section which shall read “This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.” Sen. Rhett (33rd) seconded the motion. The motion passed unanimously.

Sen. Tillery (19th) made a motion that **SB 194 Do Pass By Substitute (LC 29 7744ERS)**. Sen. McKoon (29th) seconded the motion. The motion passed unanimously.

SB 194 DO PASS BY SUBSTITUTE (LC 29 7744ERS)

With no further business, the meeting was adjourned at 4:50 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
January 22, 2018

The Senate Committee on Judiciary held its third meeting of the 2018 Legislative Session on Monday, January 22, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman (Arrived Late)
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd)
Sen. Greg Kirk (13th) (Arrived Late)
Sen. Josh McKoon (29th)
Sen. Elena Parent (42nd)
Sen. Michael Rhett (33rd)
Sen. John F. Kennedy (18th)
Sen. Brian Strickland (17th)

NOTE: Sen. Jones II (22nd), Sen. McKoon (29th), and Sen. Thompson (5th) were absent.

Chairman Stone (23rd) called the meeting to order at 4:03 p.m.

NOTE: Sen. Kirk (13th) arrived at 4:04 p.m.

NOTE: Sen. Cowsert (46th) arrived at 4:05 p.m.

SB 321 (Sen. Tillery 19th, LC 29 7709), Medicaid Claims; false or fraudulent; recover the maximum penalty authorized by federal law; increase the civil penalties

Sen. Tillery (19th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Nick Smith of the Office of the Georgia Attorney General
Mr. Jim Mooney of the Office of the Georgia Attorney General

Sen. Strickland (17th) made a motion that **SB 321 Do Pass By Substitute (LC 29 7749S)**. Sen. McKoon (29th) seconded the motion. The motion passed unanimously.

SB 321 DO PASS BY SUBSTITUTE (LC 29 7749S)

With no further business, the meeting was adjourned at 4:19 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
January 24, 2018

The Senate Committee on Judiciary held its fourth meeting of the 2018 Legislative Session on Wednesday, January 24, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Blake Tillery (19th), Secretary
Sen. William Ligon (3rd)
Sen. Harold V. Jones II (22nd)
Sen. Greg Kirk (13th)
Sen. Elena Parent (42nd)
Sen. Michael Rhett (33rd) (Arrived Late)
Sen. Brian Strickland (17th)
Sen. Curt Thompson (5th)

NOTE: Sen. Cowsert (46th), Sen. McKoon (29th), and Sen. Kennedy (18th) were absent.

Chairman Stone (23rd) called the meeting to order at 4:05 p.m.

NOTE: Sen. Rhett (33rd) arrived at 4:06 p.m.

[SB 131](#) (Sen. Tillery, 19th, LC 29 7345), Juvenile Code; adoption proceedings be stayed while an appeal to terminate parental rights is pending; provide

Sen. Tillery (19th) presented the bill to the Committee.

Sen. Ligon (3rd) made a motion that **SB 131 Do Pass By Substitute (LC 29 7769S)**. Sen. Parent (42nd) seconded the motion. The motion passed unanimously.

SB 131 DO PASS BY SUBSTITUTE (LC 29 7769S)

[HB 344](#), (Rep. Dempsey, 13th, LC 41 0944) Paternity; parties beyond movants in a child support case request a genetic test; allow

Rep. Dempsey (13th) presented the bill to the Committee.

Sen. Kirk (13th) made a motion that **HB 344 Do Pass By Substitute (LC 29 7764S)**. Sen. Tillery (19th) seconded the motion. The motion passed unanimously.

HB 344 DO PASS BY SUBSTITUTE (LC 29 7764S)

With no further business, the meeting was adjourned at 4:19 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
January 29, 2018

The Senate Committee on Judiciary held its fifth meeting of the 2018 Legislative Session on Monday, January 29, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd) (Arrived Late)
Sen. John Kennedy (18th)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd) (Arrived Late)
Sen. Josh McKoon (29th) (Left Early)
Sen. Elena Parent (42nd)
Sen. Michael Rhett (33rd)
Sen. Curt Thompson (5th) (Arrived Late)
Sen. Brian Strickland (17th)

NOTE: Sen. Cowsert (46th) was absent.

Chairman Stone (23rd) called the meeting to order at 4:08 p.m.

NOTE: Sen. Jones II (22nd) arrived at 4:09 p.m.

NOTE: Sen. Ligon (3rd) arrived at 4:10 p.m.

NOTE: Sen. Thompson (5th) arrived at 4:13 p.m.

[HB 162](#) (Rep. Price, 48th, LC 41 0926) Income tax; transfer of setoffs by the Administrative Office of the Courts; revise procedures

Rep. Price (48th) presented the bill to the Committee.

Sen. McKoon (29th) made a motion to **table HB 162**. Sen. Kirk (13th) seconded the motion. The motion passed unanimously.

HB 162 TABLED (LC 41 0926)

NOTE: Sen. McKoon (29th) left at 4:38 p.m.

NOTE: Sen. McKoon (29th) returned at 4:40 p.m.

SB 301 (Sen. Kennedy, 18th, LC 29 7619) "Revised Uniform Fiduciary Access to Digital Assets Act"; enact

Sen. Kennedy (18th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Nick Djurick of the Uniform Law Commission

Mr. Kyle King of the Uniform Law Commission

Mr. Rusty Sewell of the State Bar of Georgia spoke in favor of the bill.

This was a hearing only and no action was taken.

HEARING ONLY

SB 74 (Sen. McKoon, 29th, LC 41 0930) Courts; parental notification of abortion; provide for clear and convincing evidence for waiver

Sen. McKoon (29th) presented the bill to the Committee.

The following spoke in opposition to the bill:

Megan Gordon of the Feminist Women's Health Center

Sen. McKoon (29th) made a motion that **SB 74 DO PASS (LC 41 0930)**. Sen. Ligon (3rd) seconded the motion. The motion passed 6-4.

Sen. Strickland (17th), Sen. Ligon (3rd), Sen. Kennedy (18th), Sen. Tillery (19th), Sen. McKoon (29th), and Sen. Kirk (13th) voted in favor

Sen. Jones II (22nd), Sen. Rhett (33rd), Sen. Parent (42nd), and Sen. Thompson (5th) voted against.

SB 74 DO PASS (LC 41 0930)

With no further business, the meeting was adjourned at 5:18 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
January 31, 2018

The Senate Committee on Judiciary held its sixth meeting of the 2018 Legislative Session on Wednesday, January 31, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman (Arrived Late)
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd)
Sen. John Kennedy (18th)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd)
Sen. Josh McKoon (29th)
Sen. Elena Parent (42nd)
Sen. Curt Thompson (5th)
Sen. Michael Rhett (33rd) (Arrived Late)
Sen. Brian Strickland (17th)

Chairman Stone (23rd) called the meeting to order at 4:10 p.m.

NOTE: Sen. Cowsert (46th) arrived at 4:11 p.m.

NOTE: Sen. Rhett (33rd) arrived at 4:14 p.m.

[HB 162](#) (Rep. Price 48th, LC 41 0926), Income tax; transfer of setoffs by the Administrative Office of the Courts; revise procedures

Rep. Price (48th) presented the bill to the Committee.

Sen. Tillery (19th) made a motion that **HB 162 Do Pass by Substitute (LC 29 7806S)**. Sen. McKoon (29th) seconded the motion. The motion passed unanimously.

HB 162 DO PASS BY SUBSTITUTE (LC 29 7806S)

[SB 338](#) (Sen. Ligon, 3rd, LC 43 0792), Administrative Procedure; agency rule making; modify requirements

Sen. Ligon (3rd) presented SB 338 to the Committee.

The following spoke in favor of the bill:

Mr. Thomas Weaver, a private citizen

Sen. Cowsert (46th) made a motion that **SB 338 Do Pass by Substitute (LC 43 0823S)**. Sen. Kirk (13th) seconded the motion. The motion passed 8-2.

Sen. Strickland (17th), Sen. Ligon (3rd), Sen. Kennedy (18th), Sen. Tillery (19th), Sen. McKoon (29th), Sen. Kirk (13th), Sen. Cowsert (46th), and Sen. Thompson (5th) voted in favor

Sen. Jones II (22nd) and Sen. Parent (42nd) voted against.

SB 338 DO PASS BY SUBSTITUTE (LC 43 0823S)

With no further business, the meeting was adjourned at 4:51 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
February 5, 2018

The Senate Committee on Judiciary held its seventh meeting of the 2018 Legislative Session on Monday, February 5, 2018, at 4:30 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman (Arrived Late)
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd) (Arrived Late)
Sen. John Kennedy (18th)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd)
Sen. Elena Parent (42nd)
Sen. Michael Rhett (33rd)
Sen. Brian Strickland (17th)

NOTE: Sen. McKoon (29th) and Sen. Thompson (5th) were absent.

Chairman Stone (23rd) called the meeting to order at 4:08 p.m.

NOTE: Sen. Jones (22nd) arrived at 4:09 p.m.

NOTE: Sen. Cowsert (46th) arrived at 4:18 p.m.

[SB 336](#) (Sen. Unterman, 45th, LC 37 2478) Georgia Bureau of Investigation; general provisions; subpoena issued for production of electronic communication; not provide notice to the subscriber

Sen. Unterman (45th) presented SB 336 to the Committee.

The following spoke in favor of the bill:

Mr. Vernon Keenan, Director of the Georgia Bureau of Investigation

The following spoke in opposition to the bill:

Mr. Thomas Weaver, private citizen

Sen. Strickland (17th) made a motion that **SB 336 Do Pass By Substitute (LC 29 7854S)**. Sen. Jones (22nd) seconded the motion. The motion passed unanimously.

SB 336 DO PASS BY SUBSTITUTE (LC 29 7854S)

SB 337 (Sen. Unterman, 45th, LC 29 7731) Admissions and Confessions; effective date for the procedure; testimony of a child's description of sexual contact; provide

Sen. Unterman (45th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Vernon Keenan, Director of the Georgia Bureau of Investigation

Sen. Kennedy (18th) made a motion that **SB 337 Do Pass (LC 29 7731)**. Sen. Parent (42nd) seconded the motion. The motion passed unanimously.

SB 337 DO PASS (LC 29 7731)

With no further business, the meeting was adjourned at 4:57 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
February 7, 2018

The Senate Committee on Judiciary held its eighth meeting of the 2018 Legislative Session on Wednesday, February 7, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd)
Sen. John Kennedy (18th)
Sen. Greg Kirk (13th) (Left Early)
Sen. William Ligon, Jr. (3rd)
Sen. Elena Parent (42nd)
Sen. Michael Rhett (33rd)
Sen. Brian Strickland (17th)

NOTE: Sen. McKoon (29th) and Sen. Thompson (5th) were absent.

Chairman Stone (23rd) called the meeting to order at 4:10 p.m.

[SB 365](#) (Sen. Ligon 3rd, LC 33 7201) Code Revision Commission; statutory portion of said Code; revise, modernize, correct errors or omissions in and reenact

Sen. Ligon (3rd) presented the bill to the Committee.

The following spoke in favor of the bill:
Mr. Thomas Weaver, a private citizen

Sen. Strickland (17th) made a motion that **SB 365 Do Pass (LC 33 7201)** Sen. Kennedy (18th) seconded the motion. The motion passed unanimously.

SB 365 DO PASS (LC 33 7201)

[SB 373](#) (Sen. Tippins, 37th, LC 29 7773) Judges of Superior Courts; eleventh judge of the superior courts of the Cobb Judicial Circuit; appointment of such additional judge; provide

Sen. Tippins (37th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Tain Kell, Chief Judge of the Cobb County Superior Court

Sen. Kennedy (18th) made a motion that **SB 373 Do Pass (LC 29 7773)**. Sen. Rhett (33rd) seconded the motion. The motion passed unanimously.

SB 373 DO PASS (LC 29 7773)

NOTE: Sen. Kirk (13th) left at 4:50 p.m.

SB 301 (Sen. Kennedy, 18th, LC 29 7619ER) "**Revised Uniform Fiduciary Access to Digital Assets Act**"; enact

Sen. Kennedy (18th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Kyle King of the Uniform Law Commission

Sen. Tillery (19th) made a motion that **SB 301 Do Pass By Substitute (LC 29 7816ERS)**. Sen. Jones (22nd) seconded the motion. The motion passed unanimously.

SB 301 DO PASS (LC 29 7816ERS)

With no further business, the meeting was adjourned at 4:56 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
February 15, 2018

The Senate Committee on Judiciary held its ninth meeting of the 2018 Legislative Session on Thursday, February 15, 2018, at 5:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd)
Sen. John Kennedy (18th)
Sen. Greg Kirk (13th)
Sen. Elena Parent (42nd) (Arrived Late)
Sen. Michael Rhett (33rd)
Sen. Brian Strickland (17th)
Sen. Josh McKoon (29th)
Sen. Curt Thompson (5th)

NOTE: Sen. Cowsert (46th) and Sen. Ligon, Jr. (3rd) were absent.

Chairman Stone (23rd) called the meeting to order at 5:08 p.m.

[SR 774](#) (Sen. Stone, 23rd, LC 44 0760) Joint Study Committee on Adoption Expenses; create

Sen. Stone (23rd) presented the bill to the Committee.

Sen. Tillery (19th) made a motion that **SR 774 Do Pass (LC 44 0760)**. Sen. Thompson (5th) seconded the motion. The motion passed unanimously.

SR 774 DO PASS (LC 44 0760)

NOTE: Sen. Parent (42nd) arrived at 5:13 p.m.

[SB 427](#) (Sen. Kennedy, 18th, LC 21 5950) Child Support in Final Verdict or Decree; court's discretion in making a final determination of support; provisions; change

Sen. Kennedy (18th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Steven Harris of the Department of Human Services

Sen. Kirk (13th) made a motion that **SB 427 Do Pass By Substitute (LC 29 7911S)**. Sen. Strickland (17th) seconded the motion. The motion passed unanimously.

SB 427 DO PASS BY SUBSTITUTE (LC 29 7911S)

With no further business, the meeting was adjourned at 5:21 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
February 20, 2018

The Senate Committee on Judiciary held its tenth meeting of the 2018 Legislative Session on Tuesday, February 20, 2018, at 8:00 a.m. in Room 125 of the Georgia State Capitol. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice Chairman (Arrived Late) (Left Early)
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd)
Sen. John Kennedy (18th) (Arrived Late) (Left Early)
Sen. Greg Kirk (13th)
Sen. Elena Parent (42nd)
Sen. Brian Strickland (17th) (Arrived Late)
Sen. Josh McKoon (29th)
Sen. William Ligon, Jr. (3rd)

NOTE: Sen. Thompson (5th) and Sen. Rhett (33rd) were absent.

Chairman Stone (23rd) called the meeting to order at 8:12 a.m.

NOTE: Sen. Cowsert (46th) arrived at 8:14 a.m.

NOTE: Sen. Cowsert (46th) left at 8:16 a.m.

NOTE: Sen. Strickland (17th) arrived at 8:27 a.m.

NOTE: Sen. Kennedy (18th) arrived at 8:28 a.m.

NOTE: Sen. Kennedy (18th) left at 8:30 a.m.

[SB 375](#) (Sen. Ligon, 3rd, LC 29 7770ER) "Keep Faith in Adoption and Foster Care Act"

Sen. Ligon (3rd) presented the bill to the Committee.

Sen. McKoon (29th) made a motion that **SB 375 Do Pass By Substitute (LC 29 7843ERS)**.
Sen. Ligon (3rd) seconded the motion. The motion passed 5-2.

Sen. Ligon (3rd), Sen. Kirk (13th), Sen. McKoon (29th), Sen. Tillery (19th), and Sen. Strickland (17th) voted in favor

Sen. Parent (42nd) and Sen. Jones (22nd) voted against.

SB 375 DO PASS BY SUBSTITUTE (LC 29 7843ERS)

With no further business, the meeting was adjourned at 8:38 a.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
February 21, 2018

The Senate Committee on Judiciary held its eleventh meeting of the 2018 Legislative Session on Wednesday, February 21, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman (Arrived Late) (Left Early)
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd)
Sen. John Kennedy (18th)
Sen. Greg Kirk (13th)
Sen. William Ligon, Jr. (3rd) (Arrived Late)
Sen. Elena Parent (42nd)
Sen. Curt Thompson (5th) (Arrived Late)
Sen. Michael Rhett (33rd)
Sen. Brian Strickland (17th)

NOTE: Sen. McKoon (29th) was absent.

Chairman Stone (23rd) called the meeting to order at 4:09 p.m.

NOTE: Sen. Thompson (5th) arrived at 4:12 p.m.

NOTE: Sen. Cowsert (46th) arrived at 4:13 p.m.

NOTE: Sen. Ligon (3rd) arrived at 4:15 p.m.

[SB 407](#) (Sen. Strickland, 17th, LC 29 7857-EC) Criminal Justice System; comprehensive reform for offenders; provide

Sen. Strickland (17th) presented SB 407 to the Committee.

The following spoke in favor of the bill:

Mr. Thomas Weaver a private citizen
Mr. Burrell Ellis of the American Civil Liberties Union of Georgia
Mr. Frank Rotondo of the Georgia Association of Chiefs of Police
Mr. Pete Skandalakis of the Prosecuting Attorneys' Council
Ms. Christine Hayes of the State Bar of Georgia

Mr. Carey Miller of the Office of the Governor

The following spoke against the bill:

Mr. Terry Norris of the Georgia Sheriffs' Association spoke against the bill.

Sen. Kennedy (18th) made a motion to **Amend SB 407 (AM 29 2769)** for the purpose of creating a Committee substitute by striking the quotation mark at the end of line 225 and inserting between lines 225 and 226 the following: “(c) Notwithstanding subsection (b) of this Code section, when an accused was issued a citation for a violation of Code Section 16-7-21, 16-8-14, 16-8-14.1, or 16-13-30, and the accused fails to appear as specified in the citation, the judicial officer having jurisdiction of the offense, absent a finding of sufficient excuse to appear at the time and place specified in the citation, shall issue a warrant ordering the apprehension of the accused and commanding that he or she be brought before the court to answer the charge contained within the citation and the charge of his or her failure to appear as required. The accused shall then be allowed to make a reasonable bond to appear on a given date before the court.”, by replacing line 305 with the following: “Said title is further amended by revising subsections (b) and (d) of Code Section 17-6-12, relating to”, and by inserting between lines 316 and 317 the following: “(d) Upon the failure of a person released on his or her own recognizance ~~only~~ to appear for trial, if the release is not otherwise conditioned by the court, absent a finding of sufficient excuse to appear, the court ~~may shall~~ summarily issue an order for his or her arrest which shall be enforceable as in cases of forfeited bonds.”. Sen. Kirk (13th) seconded the motion. The motion passed unanimously.

Sen. Strickland (17th) made a motion that **SB 407 Do Pass by Substitute (LC 29 7957S)**. Sen. Kennedy (18th) seconded the motion. The motion passed unanimously.

SB 407 DO PASS BY SUBSTITUTE (LC 29 7957S)

SB 452 (Sen Stone, 23rd, LC 41 1451) Criminal Procedure and Penal Institutions; peace officer to take certain actions; verification that a suspect is illegal alien; require

Sen. Stone presented the bill to the committee.

The following spoke in favor of the bill:

Ms. Irene Munn of the Office of the Lieutenant Governor

Mr. Rusi Patel of the Georgia Municipal Association stated that the Georgia Municipal Association did not yet have a position on the bill.

The following spoke against the bill:

Ms. Aisha Yagood of Asian Americans Advancing Justice-Atlanta

Ms. Megan Gordon of the Feminist Women's Health Center

Mr. David Schaefer of the Latin American Association

Mr. Samuel Alvarez, a private citizen

Sen. Tillery (19th) made a motion to **Amend SB 452** by striking on lines 8 and 53 the word "service" and replacing it with the word "supervision" and striking on line 51 "42-11-11.1" and inserting "42-1-11.1". Sen. Parent (42nd) seconded the motion. The motion passed unanimously.

Sen. Parent (42nd) made a motion to **Amend SB 452** by striking on line 47 the words "Seventy-two hours prior to such person's release from custody, the sheriff or" and replacing it with "72 hours, unless such person is held for less than 72 hours, or as soon is reasonably practicable,". Sen. Thompson (5th) seconded the motion. The motion passed unanimously.

Sen. Cowsert (46th) made a motion that **SB 452 Do Pass By Substitute (LC 29 7959S)**. Sen. Kennedy (18th) seconded the motion. The motion passed 6-4.

Sen. Kennedy (18th), Sen. Tillery (19th), Sen. Strickland (17th), Sen. Kirk (13th), Sen. Cowsert (46th), and Sen. Ligon (3rd) voted in favor

Sen. Rhett (33rd), Sen. Jones (22nd), Sen. Parent (42nd), and Sen. Thompson (5th) voted against.

SB 452 DO PASS BY SUBSTITUTE (LC 29 7959S)

Note: Sen. Cowsert (46th) left at 5:55 p.m.

[SB 443](#) (Sen. Stone, 23rd, LC 29 7899ER) Security Deposits; lists of existing defects and of damages before and after a tenancy; provisions; clarify

Sen. Stone (23rd) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Haydon Stanley of Fiveash-Stanley, Inc.

Sen. Kennedy (18th) made a motion to **Amend SB 443** by on line 15 striking "4" and replacing it with "44". Sen. Ligon (3rd) seconded the motion. The motion passed unanimously.

Sen. Ligon (3rd) made a motion that **SB 443 Do Pass By Substitute (LC 29 7960)**. Sen. Tillery (19th) seconded the motion. The motion passed unanimously.

SB 443 DO PASS BY SUBSTITUTE (LC 29 7960ERS)

NOTE: Sen. Strickland (17th) left at 6:50 p.m.

SB 86 (Sen. Stone, 23rd, LC 29 7982) Foreclosure; real estate sold on foreclosure or levy; require confirmation and make it non-waivable

Sen. Stone (23rd) presented the bill to the Committee.

The following spoke in favor of the bill:

Ms. Tracy Rhodes, a private citizen
Mr. John Christy of Schreeder Wheeler & Flint, LLP
Mr. John Adams, a private citizen
Mr. Brent Herrin, a private citizen
Mr. Gene Vance, a private citizen

The following spoke against the bill:

Mr. Joe Brannen of the Georgia Bankers Association
Ms. Lori Godfrey of the Community Bankers Association
Mr. Brett Thrasher of Thompson O'Brien Kemp & Nasuti, P.C.
Mr. Rick Drews of Century Bank of Georgia

This was a hearing only and no action was taken.

HEARING ONLY

With no further business, the meeting was adjourned at 7:18 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
February 22, 2018

The Senate Committee on Judiciary held its twelfth meeting of the 2018 Legislative Session on Thursday, February 22, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman (Arrived Late)
Sen. Blake Tillery (19th), Secretary (Arrived Late)
Sen. John Kennedy (18th)
Sen. Greg Kirk (13th) (Left Early)
Sen. William Ligon, Jr. (3rd) (Arrived Late) (Left Early)
Sen. Josh McKoon (29th) (Arrived Late) (Left Early)
Sen. Elena Parent (42nd)
Sen. Michael Rhett (33rd)
Sen. Brian Strickland (17th)
Sen. Harold Jones II (22nd) (Arrived Late)

NOTE: Sen. Thompson (5th) was absent.

Chairman Stone (23rd) called the meeting to order at 4:11 p.m.

NOTE: Sen. Tillery (19th) arrived at 4:12 p.m.

NOTE: Sen. Ligon (3rd) arrived at 4:20 p.m.

[SB 461](#) (Sen. Stone, 23rd, LC 36 3607) Barbers and Cosmetologists; provisions; change

Sen. Stone (23rd) presented SB 461 to the Committee.

The following spoke in favor of the bill:

Ms. Philamenia Rivers of the Cosmetologists and Barbers Board

Sen. Parent (42nd) made a motion that **SB 461 Do Pass by Substitute (LC 36 3616S)**. Sen. Rhett (33rd) seconded the motion. The motion passed unanimously.

SB 461 DO PASS BY SUBSTITUTE (LC 36 3616S)

[SB 431](#) (Sen. Tillery 19th, LC 29 7897) **Liability Not Limited; effect of an owner of land charging an admission price or fee; provisions; clarify**

Sen. Tillery (19th) presented the bill to the Committee.

Sen. Ligon (3rd) made a motion that SB 431 **Do Pass (LC 29 7897)**. Sen. McKoon (29th) seconded the motion. The motion passed unanimously.

SB 431 DO PASS (LC 29 7897)

NOTE: Sen. Jones (22nd) arrived at 4:29 p.m.

[SB 436](#) (Sen. Strickland, 17th, LC 41 1422ER) **Probate Courts; general provisions; change and modernize**

Sen. Strickland (17th) presented the bill to the Committee.

Sen. Kennedy (18th) made a motion that **SB 436 Do Pass (LC 41 1422ER)**. Sen. Parent (42nd) seconded the motion. The motion passed unanimously.

SB 436 DO PASS (LC 41 1422ER)

NOTE: Sen. McKoon (29th) arrived at 4:33 p.m.

[SB 39](#) (Sen. Unterman, 45th, LC 37 2245) **Pimping and Pandering; increase the penalty provisions**

Sen. Unterman (45th) presented SB 39 (LC 29 7964S) to the Committee.

The following spoke in favor of the bill:

Mr. Thomas Weaver, a private citizen

Ms. Kenyette Barnes of Georgia Alliance for Social Justice

Sen. Strickland (17th) made a motion that **SB 39 Do Pass By Substitute (LC 29 7964S)**. Sen. Parent (42nd) seconded the motion. The motion passed unanimously.

SB 39 DO PASS BY SUBSTITUTE (LC 29 7964S)

[SB 335](#) (Sen. Unterman, 45th, LC 29 7729) **Trafficking of Persons for Labor; offense of trafficking an individual for sexual servitude; expand**

Sen. Unterman (45th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Nick Smith of the Office of the Georgia Attorney General

Mr. David McGroff of the Office of the Georgia Attorney General

Sen. Ligon (3rd) made a motion that **SB 335 Do Pass (LC 29 7729)**. Sen. Tillery (19th) seconded the motion. The motion passed unanimously.

SB 335 DO PASS (LC 29 7729)

NOTE: Sen. Cowsert (46th) arrived at 4:51 p.m.

NOTE: Sen. Ligon (3rd) left at 4:53 p.m.

NOTE: Sen. Ligon (3rd) returned at 4:56 p.m.

NOTE: Sen. Kirk (13th) left at 5:13 p.m.

SB 236 (Sen. James, 35th, LC 41 1052) Driving Under the Influence; county department of family and children services be notified; endangering; require

Sen. James (35th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Barry Morgan of the Office of the Solicitor General of Cobb County

Sen. Tillery (19th) made a motion to **Amend SB 236** by striking on line 23 the word “shall” and replacing it with the word “may”. Sen. Rhett (33rd) seconded the motion.

The motion passed 6-4. Sen. Tillery (19th), Sen. Kennedy (18th), Sen. Strickland (17th), Sen. Kirk (13th), Sen. Cowsert (46th), and Sen. Rhett (33rd) voted in favor.

Sen. Ligon (3rd), Sen. McKoon (29th), Sen. Parent (42nd), and Sen. Jones (22nd) voted against.

Sen. Tillery (19th) made another motion to **Amend SB 236** by striking on line 24 after the word “county” and before the word “department” the words “or district”. Sen. Jones (22nd) seconded the motion. The motion passed unanimously.

Sen. Kennedy (18th) made a motion to **Amend SB 236** by striking on line 26 the word “abuse” and replacing it with the word “neglect”. Sen. Ligon (3rd) seconded the motion. The motion passed unanimously.

Sen. Jones (22nd) made a motion that **SB 236 Do Pass By Substitute (LC 29 7969S)**. Sen. Rhett (33rd) seconded the motion. The motion passed 8-1.

Sen. Tillery (19th), Sen. Kennedy (18th), Sen. Strickland (17th), Sen. Cowsert (46th), Sen. Ligon (3rd), Sen. Parent (42nd), Sen. Jones (22nd), and Sen. Rhett (33rd) voted in favor.

Sen. McKoon (29th) voted against.

SB 236 DO PASS BY SUBSTITUTE (LC 29 7969S)

NOTE: Sen. Kirk (13th) returned at 5:19 p.m.

SR 902 (Sen. James, 35th, LC 41 1463) Joint Study Committee on Revising the Applicability and Nomenclature of the Offense of Rape; create

Sen. James (35th) presented the resolution to the Committee.

Sen. Rhett (33rd) made a motion to **Amend SR** by instructing the Office of Legislative Counsel to change the resolution so that it would create a Senate Study Committee instead of a Joint Study Committee. Sen. Jones (22nd) seconded the motion. The motion passed unanimously.

Sen. Rhett (33rd) made a motion that **SR 902 Do Pass By Substitute (LC 29 7968S)**. Sen. Jones (22nd) seconded the motion. The motion passed unanimously.

SR 902 DO PASS BY SUBSTITUTE (LC 29 7968S)

NOTE: Sen. Kirk (13th) left at 5:28 p.m.

NOTE: Sen. McKoon (29th) left at 5:37 p.m.

SB 314 (Sen. Jones, 22nd, LC 29 7681ER) Invasions of Privacy; prohibit sexual extortion; provide

Sen. Jones (22nd) presented the bill to the Committee.

Sen. Parent (42nd) made a motion to **Amend SB** by instructing the Office of Legislative Counsel to add to the bill provisions that offer additional prosecutorial discretion. Sen. Strickland (17th) seconded the motion. The motion passed unanimously.

Sen. Rhett (33rd) made a motion that **SB 314 Do Pass By Substitute (LC 29 7916ERS)**. Sen. Parent (42nd) seconded the motion. The motion passed 7-1.

Sen. Rhett (33rd), Sen. Jones (22nd), Sen. Parent (42nd), Sen. Strickland (17th), Sen. Kennedy (18th), Sen. Ligon (3rd) and Sen. Tillery (19th) voted in favor.

Sen. Cowsert (46th) voted against.

With no further business, the meeting was adjourned at 5:53 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
March 5, 2018

The Senate Committee on Judiciary held its thirteenth meeting of the 2018 Legislative Session on Monday, March 5, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice Chairman (Arrived Late) (Left Early)
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd) (Arrived Late)
Sen. John Kennedy (18th)
Sen. Greg Kirk (13th) (Left Early)
Sen. Elena Parent (42nd) (Left Early)
Sen. Brian Strickland (17th) (Arrived Late)
Sen. Josh McKoon (29th)
Sen. William Ligon, Jr. (3rd)
Sen. Curt Thompson (5th)
Sen. Michael Rhett (33rd)

NOTE: Sen. McKoon (29th) was absent.

Chairman Stone (23rd) called the meeting to order at 4:07 p.m.

NOTE: Sen. Strickland (17th) arrived at 4:10 p.m.

NOTE: Sen. Cowsert (46th) arrived at 4:16 p.m.

NOTE: Sen. Jones (22nd) arrived at 4:20 p.m.

[HB 670](#) (Rep. Powell 32nd, LC 41 1262) Georgia State Council for Interstate Juvenile Supervision; number of legislative branch representatives; revise

Rep. Powell (32nd) presented the bill to the Committee.

Sen. Kennedy (18th) made a motion that **HB 670 Do Pass (LC 41 1262)**. Sen. Rhett (33rd) seconded the motion. The motion passed unanimously.

HB 670 DO PASS (LC 41 1262)

[HB 137](#) (Rep. Turner, 21st, LC 29 7852) Crimes and offenses; restrictions on contingency fee compensation of an attorney appointed in forfeiture actions; change provisions

Rep. Turner (21st) presented HB 137 (LC 29 8010S) to the Committee.

Mr. David Cooke of the District Attorney's Office of Macon-Bibb County spoke against the bill.

Sen. Tillery (19th) made a motion to **Amend HB 137** by adding on line 25 after "Georgia." the following: "When the forfeiture action is connected to a criminal proceeding, such appointment and the terms of compensation shall be filed within ten days of the conclusion of the criminal proceedings for all of the codefendants or the final order in such forfeiture action, whichever occurs last. When the forfeiture action is not connected to a criminal proceeding, such appointment and the terms of compensation shall be filed within ten days of the final order in such forfeiture action." Sen. Rhett (33rd) seconded the motion. The motion passed unanimously.

Sen. Kirk (13th) made a motion that **HB 137 Do Pass By Substitute (LC 29 8011S)**. Sen. Strickland (17th) seconded the motion. The motion passed unanimously.

HB 137 DO PASS BY SUBSTITUTE (LC 29 8011S)

[HB 668](#) (Rep. Price, 48th, (LC 41 1261) Guardian and ward; petitions for appointment of a guardian under certain circumstances; provisions

Rep. Price (48th) presented the bill to the Committee.

Sen. Rhett (33rd) made a motion that **HB 668 Do Pass (LC 41 1261)**. Sen. Kennedy (18th) seconded the motion. The motion passed unanimously.

HB 668 DO PASS (LC 41 1261)

NOTE: Sen. Kirk (13th) left at 5:02 p.m.

[HB 381](#), Rep. Corbett, 174th, LC 39 1819ERS) Abandoned Mobile Home Act; enact

Rep. Corbett (174th) presented the bill to the Committee.

The following spoke in opposition to the bill:

Mr. Jeff Ledford of the Georgia Association of Realtors

NO ACTION TAKEN

NOTE: Sen. Kirk (13th) returned at 5:05 p.m.

[HB 808](#) (Rep. Nimmer, 178th, LC 44 0653) Courts; term of court in certain counties in the Waycross Circuit; change

Rep. Nimmer (178th) presented the bill to the Committee.

Sen. Kennedy (18th) made a motion that **HB 808 Do Pass (LC 44 0653)**. Sen. Rhett (33rd) seconded the motion. The motion passed unanimously.

HB 808 DO PASS (LC 44 0653)

[HB 907](#) (Rep. Fleming, 121st, LC 28 8540) Public officers and employees; appointment and election of successor in event of vacancy in the office of district attorney; provide

Rep. Fleming (121st) presented the bill to the Committee.

Sen. Cowsert (46th) made a motion that **HB 907 Do Pass (LC 28 8540)**. Sen. Kirk (13th) seconded the motion. The motion passed unanimously.

HB 907 DO PASS (LC 28 8540)

NOTE: Sen. Cowsert (46th) left at 5:10 p.m.

NOTE: Sen. Parent (42nd) left at 5:25 p.m.

NOTE: Sen. Kirk (13th) left at 5:27 p.m.

[HB 897](#) (Rep. Efstration, 104th, LC 29 7839ER) Georgia Power of Attorney Act; revise

Rep. Efstration (104th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Kyle King of the Fiduciary Section of the State Bar of Georgia

This was a hearing only and no action was taken.

HEARING ONLY

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

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
March 7, 2018

The Senate Committee on Judiciary held its fourteenth meeting of the 2018 Legislative Session on Wednesday, March 7, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman (Arrived Late)
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd) (Arrived Late)
Sen. John Kennedy (18th) (Arrived Late)
Sen. William Ligon, Jr. (3rd)
Sen. Josh McKoon (29th)
Sen. Elena Parent (42nd)
Sen. Michael Rhett (33rd)
Sen. Brian Strickland (17th)

NOTE: Sen. Kirk (13th) and Sen. Thompson (5th) were absent.

Chairman Stone (23rd) called the meeting to order at 4:07 p.m.

NOTE: Sen. Jones (22nd) arrived at 4:08 p.m.

[HB 897](#) (Rep. Efstration, 104th, LC 29 7839ER) Georgia Power of Attorney Act; revise

Rep. Efstration (104th) presented the bill to the Committee.

Sen. Tillery (19th) made a motion that **HB 897 Do Pass (LC 29 7839ER)**. Sen. Ligon (3rd) seconded the motion. The motion passed unanimously.

HB 897 DO PASS (LC 29 7839ER)

NOTE: Sen. Cowsert (46th) arrived at 4:10 p.m.

NOTE: Sen. Kennedy (18th) arrived at 4:14 p.m.

[HB 121](#) (Rep. Efstration, 104th, LC 29 7796ERS) Trusts; minor or unborn beneficiaries; change provisions

Rep. Efration (104th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Blake Melton of the Fiduciary Section of the State Bar of Georgia

NO ACTION TAKEN

HB 830 (Rep. Harden, 148th, LC 33 7241) **Controlled substances; Schedule I and II; change certain provisions**

Rep. Harden (148th) presented the bill to the Committee.

Sen. Kennedy (18th) made a motion that **HB 830 Do Pass (LC 33 7241)**. Sen. McKoon (29th) seconded the motion. The motion passed unanimously.

HB 830 DO PASS (LC 33 7241)

With no further business, the meeting was adjourned at 4:51 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
March 8, 2018

The Senate Committee on Judiciary held its fifteenth meeting of the 2018 Legislative Session on Thursday, March 8, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman (Arrived Late)
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd) (Arrived Late)
Sen. John Kennedy (18th)
Sen. William Ligon, Jr. (3rd)
Sen. Josh McKoon (29th) (Left Early)
Sen. Elena Parent (42nd)
Sen. Brian Strickland (17th)
Sen. Greg Kirk (13th)

NOTE: Sen. Rhett (33rd) and Sen. Thompson (5th) were absent.

Chairman Stone (23rd) called the meeting to order at 4:07 p.m.

NOTE: Sen. Jones (22nd) arrived at 4:08 p.m.

NOTE: Sen. Cowsert (46th) arrived at 4:10 p.m.

[HB 834](#) (Rep. Ballinger, 23rd, LC 29 7961S), Landlord and tenant; termination of a rental or lease agreement under circumstances involving family violence; provide

Rep. Ballinger (23rd) presented the bill to the Committee.

This was a hearing only and no action was taken.

HEARING ONLY

[HB 654](#) (Rep. Beskin, 54th, LC 29 7651) Child support; reforms recommended by the Ga. Child Support Commission; enact

Rep. Beskin (54th) presented the bill to the Committee.

Sen. Strickland (17th) made a motion that **HB 654 Do Pass (LC 29 7651)**. Sen. Ligon (3rd) seconded the motion. The motion passed unanimously.

HB 654 DO PASS (LC 29 7651)

HB 825 (Rep. Williams, 145th, LC 29 7800) Death investigations; chief medical examiner to inter and disinter unidentified human remains under certain circumstances; allow

Rep. Williams (145th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Vernon Keenan of the Georgia Bureau of Investigation

Sen. McKoon (29th) made a motion that **HB 825 Do Pass (LC 29 7800)**. Sen. Kirk (13th) seconded the motion. The motion passed unanimously.

HB 825 DO PASS (LC 29 7800)

NOTE: Sen. McKoon (29th) left at 4:28 p.m.

HB 906 (Rep. Dempsey, 13th, LC 29 7804) Public records; public disclosure of personal information of certain foster parents; exclude

Rep. Dempsey (13th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Jeff Lucas of the Department of Family and Children Services

Ms. Ashley Fielding of the Department of Family and Children Services

Sen. Kirk (13th) made a motion that **HB 906 Do Pass (LC 29 7804)**. Sen. Kennedy (18th) seconded the motion. The motion passed unanimously.

HB 906 DO PASS (LC 29 7804)

NOTE: Sen. McKoon (29th) returned at 4:36 p.m.

HB 890 (Rep. Fleming, 121st, LC 29 7835) Crimes and offenses; make it unlawful to use an emergency exit after having shoplifted

Rep. Fleming (121st) presented the bill to the Committee.

The following spoke in opposition to the bill:

Ms. Kendra Mitchell of the Georgia Association of Criminal Defense Attorneys

NO ACTION TAKEN

[HB 917](#) (Rep. Dollar, 45th, LC 29 7978S) Crimes and offenses; restitution; update terminology and change provisions

Rep. Dollar (45th) presented HB 917 to the Committee.

Sen. Cowsert (46th) made a motion that **HB 917 Do Pass (LC 29 7978S)**. Sen. Parent (42nd) seconded the motion. The motion passed unanimously.

HB 917 DO PASS (LC 29 7978S)

[HB 999](#) (Rep. Coomer, 14th, (LC 29 7989S) Weapons; carry license; inpatient hospitalization; provisions

Rep. Coomer (14th) presented the bill to the Committee.

Sen. Parent (42nd) made a motion that **HB 999 Do Pass (LC 29 7989S)**. Sen. Jones (22nd) seconded the motion. The motion passed unanimously.

HB 999 DO PASS (LC 29 7989S)

With no further business, the meeting was adjourned at 4:56 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
March 12, 2018

The Senate Committee on Judiciary held its sixteenth meeting of the 2018 Legislative Session on Monday, March 12, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman (Arrived Late)
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd)
Sen. John Kennedy (18th) (Left Early)
Sen. William Ligon, Jr. (3rd)
Sen. Elena Parent (42nd) (Arrived Late)
Sen. Brian Strickland (17th) (Left Early)
Sen. Greg Kirk (13th)
Sen. Michael Rhett (33rd)

NOTE: Sen. McKoon (29th) and Sen. Thompson (5th) were absent.

Chairman Stone (23rd) called the meeting to order at 4:10 p.m.

NOTE: Sen. Parent (42nd) arrived at 4:17 p.m.

NOTE: Sen. Ligon (3rd) leaves at 4:19 p.m.

[HB 121](#) (Rep. Efstration, 104th, LC 29 7796ERS) Trusts; minor or unborn beneficiaries; change provisions

Rep. Efstration (104th) presented the bill to the Committee.

The following spoke in favor of the bill:

Ms. Mary Radford of Georgia State University

Mr. Nick Jurich of the Fiduciary Section of the State Bar of Georgia

Sen. Kennedy (18th) made a motion that **HB 121 Do Pass (LC 29 7796ERS)**. Sen. Tillery (19th) seconded the motion. The motion passed unanimously.

HB 121 DO PASS (LC 29 7796ERS)

NOTE: Sen. Ligon (3rd) returns at 4:33 p.m.

NOTE: Sen. Cowsert (46th) arrives at 4:35 p.m.

[HB 381](#), Rep. John Corbett (174th), Abandoned Mobile Home Act; enact

Rep. Corbett (174th) presented the bill to the Committee.

Sen. Ligon (3rd) made a motion to **Amend HB 381** by striking lines 57 and 58 and replace them with the following: “is qualified to determine if the abandoned mobile home is derelict or intact.” Sen. Kirk (13th) seconded the motion. The motion passed unanimously.

Sen. Strickland (17th) made a motion to **Amend HB 381** for the purpose of creating a committee substitute by on line 201 after “the notice of appeal” adding a period, striking “and the magistrate may, within 15 days, supplement the record with findings of fact, inclusions of law, which is considered part of the order of the magistrate in that case.” Sen. Tillery (19th) seconded the motion. The motion passed unanimously.

Sen. Strickland (17th) made a motion that **HB 381 Do Pass By Substitute (LC 29 8040ERS)**. Sen. Ligon (3rd) seconded the motion. The motion passed unanimously.

HB 381 DO PASS BY SUBSTITUTE (LC 29 8040ERS)

NOTE: Sen. Tillery (19th) left at 4:48 p.m.

NOTE: Sen. Tillery (19th) returned at 4:51 p.m.

[HB 732](#) (Rep. Silcox, 52nd, LC 29 7687) Crimes and offenses; trafficking an individual for sexual servitude; provisions

Rep. Silcox (52nd) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Nick Smith of the Office of the Georgia Attorney General

Ms. Tanya Ditty of Concerned Women for America

Mr. Mike Griffin of the Georgia Baptist Mission Board

Sen. Kirk (13th) made a motion that **HB 732 Do Pass (LC 29 7687)**. Sen. Kennedy (18th) seconded the motion. The motion passed unanimously.

HB 732 DO PASS (LC 29 7687)

NOTE: Sen. Strickland (17th) left at 5:25 p.m.

HB 765 (Rep. Thomas, 56th, LC 29 7943S) C.J.'s Law; enact

Rep. Thomas (56th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Marcus Coleman, a private citizen

NO ACTION TAKEN

Chairman Stone (23rd) moved that the Committee stand in recess at 5:25 p.m.

NOTE: Sen. Kennedy (18th) left at 5:25 p.m.

NOTE: Sen. Tillery (19th) left at 5:25 p.m.

NOTE: Sen. Rhett (33rd) left at 5:25 p.m.

Chairman Stone (23rd) called the Committee back to order at 5:35 p.m.

NOTE: Sen. Kennedy (18th) returned at 5:37 p.m.

NOTE: Sen. Rhett (33rd) returned at 5:37 p.m.

NOTE: Sen. Strickland (17th) returned at 5:38 p.m.

HB 790 (Rep. Efstoration 104th, LC 41 1314EC) State government; recommendations of the Court Reform Council; implement

Rep. Efstoration (104th) presented the bill to the Committee.

The following spoke in favor of the bill:

Ms. Lisa Boggs of the Georgia Office of State and Administrative Hearings

Mr. Dominic Capraro of the Georgia Office of State and Administrative Hearings

Mr. Thomas Weaver, a private citizen

This was a hearing only and no action was taken.

HEARING ONLY

[HB 791](#) (Rep. Efstoration, 104th, LC 41 1482S) State government; limited waiver of the state's sovereign immunity for declaratory or injunctive relief under certain circumstance; provide

Rep. Efstoration (104th) presented the bill to the Committee.

The following spoke in favor of the bill:

Ms. Sarah Warren of the Office of the Georgia Attorney General

Mr. Thomas Weaver, a private citizen

Mr. Bill Clark of the Georgia Trial Lawyers Association

Mr. Larry Ramsey of ACCG spoke in support of section 3 of the bill.

Mr. Rusi Patel of the Georgia Municipal Association spoke in support of section 3 of the bill.

The following spoke in opposition to the bill:

Mr. Chuck Clay of the Georgia Education Coalition spoke against the bill.

This was a hearing only and no action was taken.

HEARING ONLY

NOTE: Sen. Kennedy (18th) left at 6:35 p.m.

[HR 993](#) (Rep. Efstoration, 104th, LC 41 1481S) Business court; state-wide jurisdiction; create - CA

Rep. Efstoration (104th) presented the resolution to the Committee.

The following spoke in favor of the resolution:

Mr. Rocco Testani of Everland Southerland, LLP

This was a hearing only and no action was taken.

HEARING ONLY

With no further business, the meeting was adjourned at 6:40 p.m.

Respectfully Submitted,

/s/ Sen. Jesse Stone (23rd), Chairman

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
March 14, 2018

The Senate Committee on Judiciary held its seventeenth meeting of the 2018 Legislative Session on Wednesday, March 14, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman (Arrived Late)
Sen. Harold V. Jones II (22nd)
Sen. John Kennedy (18th)
Sen. William Ligon, Jr. (3rd)
Sen. Elena Parent (42nd)
Sen. Brian Strickland (17th)
Sen. Greg Kirk (13th) (Left Early)
Sen. Michael Rhett (33rd)
Sen. Curt Thompson (5th)
Sen. Josh McKoon (29th) (Left Early)

NOTE: Sen. Tillery (19th) was absent.

Chairman Stone (23rd) called the meeting to order at 4:12 p.m.

[HB 190](#) (Rep. Hanson, 80th, LC 41 0998S) Domestic relations; marriage articles and antenuptial agreements; change provisions

Rep. Hanson (80th) presented HB 190 (LC 29 8017S) to the Committee.

Sen. McKoon (29th) made a motion that **HB 190 Do Pass By Substitute (LC 29 8017S)**. Sen. Parent (42nd) seconded the motion. The motion passed unanimously.

HB 190 DO PASS BY SUBSTITUTE (LC 29 8017S)

[HB 765](#) (Rep. Thomas 56th, LC LC 29 7943S) C.J.'s Law; enact

Rep. Thomas (56th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Jason Samuels and Mr. Pete Skandalakis of the Prosecuting Attorneys Council of Georgia

Mr. Bob Dallas spoke in favor of the bill.

Sen. Kirk (13th) made a motion that **HB 765 Do Pass (LC 29 7943S)**. Sen. Parent (42nd) seconded the motion. The motion passed unanimously.

HB 765 DO PASS (LC 29 7943S)

NOTE: Sen. Cowsert (46th) arrived at 4:42 p.m.

NOTE: Sen. McKoon (29th) left at 4:42 p.m.

NOTE: Sen. Kirk (13th) left at 4:44 p.m.

NOTE: Sen. McKoon (29th) returned at 4:45 p.m.

NOTE: Sen. Kirk (13th) returned at 4:46 p.m.

NOTE: Sen. McKoon (29th) left at 5:09 p.m.

NOTE: Sen. McKoon (29th) returned at 5:22 p.m.

HB 410 (Rep. Powell, 32nd, LC 41 1439ERS) Condominiums; certain fees imposed on purchasers; provide for limits

Rep. Powell (32nd) presented the bill (LC 29 8055ERS) to the Committee.

The following spoke in favor of the bill:

Mr. Keith Hatcher of the Georgia Association of Realtors

The following spoke against the bill:

Ms. Julie Howard of Nowack Howard Community Association Attorneys

Ms. Danielle Benefield of Heritage Property Management

Mr. Myles Levelle of the Riviera Terrace Condominium Association

Ms. Jennifer Spivey of Scenic at Renaissance HOA

Ms. Lisa Turner of Silver Leaf Management Group

Ms. Melinda Cobb of Heritage Property Management

Mr. John Kruger of Associa spoke against the bill.

This was a hearing only and no action was taken.

HEARING ONLY

HB 834 (Rep. Ballinger, 23rd, LC 29 7961S) Landlord and tenant; termination of a rental or lease agreement under circumstances involving family violence; provide

Rep. Ballinger (23rd) presented HB 834 to the Committee.

Sen. Thompson (5th) made a motion that **HB 834 Do Pass By Substitute (LC 29 8046S)**. Sen. Strickland (17th) seconded the motion. The motion passed unanimously.

HB 834 DO PASS BY SUBSTITUTE (LC 29 8046S)

Chairman Stone (23rd) made a motion that the Committee stand in recess at 5:43 p.m.

NOTE: Sen. Cowsert (46th) left at 5:43 p.m.

NOTE: Sen. Rhett (33rd) left at 5:43 p.m.

NOTE: Sen. Kennedy (18th) left at 5:43 p.m.

NOTE: Sen. Thompson (5th) left at 5:43 p.m.

NOTE: Sen. Strickland (17th) left at 5:43 p.m.

Chairman Stone (23rd) called the Committee back to order at 5:56 p.m.

NOTE: Sen. Kennedy (18th) returned at 5:57 p.m.

NOTE: Sen. Strickland (17th) returned at 5:59 p.m.

NOTE: Sen. Cowsert (46th) returned at 5:59 p.m.

NOTE: Sen. Cowsert (46th) left at 6:56 p.m.

HB 673 (Rep. Carson, 46th, LC HB673/CSFA) Motor vehicles; prohibit actions which distract a driver while operating a motor vehicle; provisions

Rep. Carson (46th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Bob Dallas, a private citizen

Mr. Dwayne Orrick of the Georgia Association of Chiefs of Police

Mr. Derick Durden of the Georgia Department of Public Safety

Mr. Craig Clark and Ms. Cathy Clark, a victim's parents

Mr. Sam Pittman, a victim's father

Ms. Cheri Madliak, a victim's mother

Ms. Jodi Rigby, a victim's mother

This was a hearing only and no action was taken.

HEARING ONLY

With no further business, the meeting was adjourned at 7:07 p.m.

Respectfully Submitted,

/s/ Sen. Jesse Stone (23rd), Chairman

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
March 15, 2018

The Senate Committee on Judiciary held its eighteenth meeting of the 2018 Legislative Session on Thursday, March 15, 2018, at 4:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice-Chairman
Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd)
Sen. John Kennedy (18th)
Sen. Elena Parent (42nd)
Sen. Brian Strickland (17th)
Sen. Greg Kirk (13th) (Arrived Late)
Sen. Curt Thompson (5th) (Arrived Late)
Sen. Josh McKoon (29th)

NOTE: Sen. Ligon (3rd) and Sen. Rhett (33rd) were absent.

Chairman Stone (23rd) called the meeting to order at 4:07 p.m.

NOTE: Sen. Kirk (13th) arrived at 4:09 p.m.

NOTE: Sen. Thompson (5th) arrived at 4:15 p.m.

[HB 890](#) (Rep. Fleming, 121st, LC 29 7835) Crimes and offenses; make it unlawful to use an emergency exit after having shoplifted

Sen. Stone (23rd) presented the bill to the Committee.

Sen. McKoon (29th) made a motion that **HB 890 Do Pass (LC 29 7835)**. Sen. Kennedy (18th) seconded the motion. The motion passed 7-1.

Sen. Parent (42nd), Sen. Jones (22nd), Sen. Tillery (19th), Sen. McKoon (29th), Sen. Strickland (17th), Sen. Kirk (13th), and Sen. Kennedy (18th) voted in favor

Sen. Cowsert (46th) voted against.

HB 890 DO PASS (LC 29 7835)

NOTE: Sen. McKoon (29th) left at 4:45 p.m.

NOTE: Sen. Strickland (17th) left at 5:03 p.m.

HB 605 (Rep. Spencer, 180th, HB 605/CSFA) Hidden Predator Act of 2018; enact

Rep. Spencer (180th) presented the bill to the Committee.

The following spoke in favor of the bill:

Mr. Mike Griffin of the Georgia Baptist Mission Board

Ms. Jackie Holder

Mr. Marlin Wilbanks of the Wilbanks Clinic

Mr. Darren Penn of Penn Law LLC

Ms. Monica Matthews

Ms. Jessica DuBois of Georgia Right To Life Mr. Bobby Lawson

Mr. Kay Stafford

Ms. Ester Panitch of The Panitch Law Group, P.C.

The following spoke in opposition to the bill:

Mr. Thomas Weaver, a private citizen

Mr. Cary Silverman of the American Tort Reform Association

Mr. Edward Lindsey of the Boy Scouts of America

Mr. Steve Heath of Cowsert Heath

Mr. Steve Miller of Drew Eckl Farnham, LLP

Mr. Charles Jones

There was no action taken on HB 605.

With no further business, the meeting was adjourned at 7:59 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
March 19, 2018

The Senate Committee on Judiciary held its nineteenth meeting of the 2018 Legislative Session on Monday, March 19, 2018, at 5:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Blake Tillery (19th), Secretary (Arrived Late)
Sen. Harold V. Jones II (22nd) (Arrived Late)
Sen. John Kennedy (18th)
Sen. Elena Parent (42nd) (Arrived Late)
Sen. Brian Strickland (17th)
Sen. Greg Kirk (13th)
Sen. Curt Thompson (5th)
Sen. Michael Rhett (33rd)
Sen. William Ligon (3rd)

NOTE: Sen. McKoon (29th) and Sen. Cowsert (46th) were absent.

Chairman Stone (23rd) called the meeting to order at 5:07 p.m.

NOTE: Sen. Jones (22nd) arrived at 5:10 p.m.

NOTE: Sen. Tillery (19th) arrived at 5:12 p.m.

NOTE: Sen. Parent (42nd) arrived at 5:24 p.m.

[HB 410](#) (Rep. Powell, 32nd, LC 41 1439ERS) Condominiums; certain fees imposed on purchasers; provide for limits

Sen. Ligon (3rd) presented the bill to the Committee.

Sen. Thompson (5th) made a motion to **Amend HB 410** by adding on line 113 a Subsection which shall state the following: “The fee specified in this subsection shall be adjusted every five years in an amount equal to the total of the annual increases for that five year period in the Consumer Price Index for all urban consumers, US city average, all items rounded to the nearest dollar.”. Sen. Parent seconded the motion. The motion passed 6-3.

Sen. Tillery (19th), Sen. Thompson (5th), Sen. Kennedy (18th), Sen. Parent (42nd), Sen. Jones (22nd), and Sen. Rhett (33rd) voted in favor
Sen. Ligon (3rd), Sen. Strickland (17th), and Sen. Kirk (13th) voted against.

Sen. Ligon (3rd) made a motion that **HB 410 Do Pass By Substitute (LC 29 8081ERS)**. Sen. Kirk (13th) seconded the motion. The motion passed unanimously.

HB 410 DO PASS BY SUBSTITUTE (LC 29 8081ERS)

HB 790 (Rep. Efstration, 104th, LC 41 1314EC) State government; recommendations of the Court Reform Council; implement

Rep. Efstration (104th) presented the bill to the Committee.

Sen. Strickland (17th) made a motion that **HB 790 Do Pass By Substitute (LC 29 8067-ECS)**. Sen. Thompson (5th) seconded the motion. The motion passed unanimously.

HB 790 DO PASS BY SUBSTITUTE (LC 29 8067-ECS)

HB 791 (Rep. Efstration, 104th, LC 41 1482S) State government; limited waiver of the state's sovereign immunity for declaratory or injunctive relief under certain circumstance; provide

Rep. Efstration (104th) updated the Committee on progress made in drafting a new substitute for HB 791.

This was a hearing only and no action was taken.

HEARING ONLY

HR 993 (Rep. Efstration, 104th, LC 41 1352EC) Business court; state-wide jurisdiction; create - CA

Rep. Efstration (104th) updated the Committee on progress made in drafting a new substitute for HR 993.

This was a hearing only and no action was taken.

HEARING ONLY

With no further business, the meeting was adjourned at 5:46 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
March 21, 2018

The Senate Committee on Judiciary held its twentieth meeting of the 2018 Legislative Session on Wednesday, March 21, 2018, at 6:30 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Blake Tillery (19th), Secretary
Sen. Harold V. Jones II (22nd)
Sen. Elena Parent (42nd)
Sen. Curt Thompson (5th)
Sen. Michael Rhett (33rd)

NOTE: Sen. McKoon (29th), Sen. Kennedy (18th), Sen. Strickland (17th), Sen. Kirk (13th), Sen. Stone (23rd), Sen. Ligon (3rd) and Sen. Cowsert (46th) were absent.

Sen. Tillery (19th), the presiding officer, called the meeting to order at 7:31 p.m.

With a quorum not being present, the meeting was adjourned at 7:31 p.m.

Respectfully Submitted,

/s/ Sen. Blake Tillery (19th), Secretary

/s/ Janelle Bova, Recording Secretary

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY
March 22, 2018

The Senate Committee on Judiciary held its twenty-first meeting of the 2018 Legislative Session on Thursday, March 22, 2018, at 2:00 p.m. in Room 307 of the Coverdell Legislative Office Building. The following members were in attendance:

Sen. Jesse Stone (23rd), Chairman
Sen. Bill Cowsert (46th), Vice Chairman (Left Early)
Sen. Blake Tillery (19th), Secretary (Left Early)
Sen. Harold V. Jones II (22nd)
Sen. John Kennedy (18th) (Left Early)
Sen. Elena Parent (42nd) (Left Early)
Sen. Brian Strickland (17th)
Sen. Greg Kirk (13th) (Left Early)
Sen. Michael Rhett (33rd) (Arrived Late)
Sen. William Ligon (3rd)
Sen. Josh McKoon (29th) (Left Early)

NOTE: Sen. Thompson (5th) was absent.

Chairman Stone (23rd) called the meeting to order at 2:11 p.m.

NOTE: Sen. Rhett (33rd) arrived at 2:13 p.m.

[HB 605](#) (Rep. Spencer, 180th, LC HB 605/CSFA) Hidden Predator Act of 2018; enact

Sen. Stone (23rd) presented the bill to the Committee.

Sen. Kirk (13th) made a motion that **HB 605 Do Pass By Substitute (LC 29 8109ERS)**. Sen. Parent (42nd) seconded the motion. The motion passed unanimously.

HB 605 DO PASS BY SUBSTITUTE (LC 29 8109ERS)

NOTE: Sen. McKoon (29th) left at 2:35 p.m.

[HB 673](#) (Rep. Carson 46th, LC HB673/CSFA) Motor vehicles; prohibit actions which distract a driver while operating a motor vehicle; provisions

Sen. Stone (23rd) presented the bill to the Committee.

Sen. Rhett (33rd) made a motion that **HB 673 Do Pass By Substitute (LC 39 1952S)**. Sen. Kennedy (18th) seconded the motion. The motion passed 8-1.

Sen. Kennedy (18th), Sen. Tillery (19th), Sen. Ligon (3rd), Sen. Strickland (17th), Sen. Kirk (13th), Sen. Parent (42nd), Sen. Jones (22nd), and Sen. Rhett (33rd) voted in favor

Sen. Cowsert (46th) voted against.

HB 673 DO PASS BY SUBSTITUTE (LC 39 1952S)

NOTE: Sen. Parent (42nd) left at 2:45 p.m.

NOTE: Sen. Parent (42nd) returned at 2:47 p.m.

HB 791 (Rep. Efstration, 104th, LC 41 1482S) State government; limited waiver of the state's sovereign immunity for declaratory or injunctive relief under certain circumstance; provide

Rep. Efstration (104th) presented the bill to the Committee.

Sen. Ligon (3rd) made a motion to **Amend HB 791** by striking lines 110 and 111 and replacing them with a new subsection which shall state: "This subsection shall not apply to a claim seeking a declaratory judgement that a state statute violates the constitution of Georgia when such claim arises in relation to a pending suit not against the state. In such circumstances, the party challenging the statue shall comply with the notice requirements of subsection (c) of code section 9-4-7." Sen. Kirk (13th) seconded the motion. The motion passed unanimously.

Sen. Strickland (17th) made a motion that **HB 791 Do Pass By Substitute (LC 29 8112S)**. Sen. Tillery (19th) seconded the motion. The motion passed unanimously.

HB 791 DO PASS BY SUBSTITUTE (LC 29 8112S)

HB 185 (Rep. Efstration, 104th, LC 29 7325) Probate court; associate judges; change provisions

Rep. Efstration (104th) presented the bill to the Committee.

Sen. Strickland (17th) made a motion to **Amend HB 185** by on line 27 by striking “one of the parties” and replacing it with “at least one of the plaintiffs and one of the defendants”. “Sen. Parent (42nd) seconded the motion. The motion passed unanimously.

Sen. Tillery (19th) made a motion that **HB 185 Do Pass By Substitute (LC 29 8113S)**. Sen. Kennedy (18th) seconded the motion. The motion passed unanimously.

HB 185 DO PASS BY SUBSTITUTE (LC 29 8113S)

NOTE: Sen. Tillery (19th) left at 3:06 p.m.

HR 993 (Rep. Efstrotation, 104th, LC 41 1481S) Business court; state-wide jurisdiction; create - CA

Rep. Efstrotation (104th) presented the resolution to the Committee.

Sen. Kirk (13th) made a motion to **Amend HR 993** by instructing the Office of Legislative Counsel to clarify that approval of an appointed judge is need in the Judiciary Committee of each chamber and on line 165 adding the same approval process for filling vacancies on the court. Sen. Ligon (3rd) seconded the motion. The motion passed unanimously.

Sen. Strickland (17th) made a motion that **HR 993 Do Pass By Substitute (LC 29 8115S)**. Sen. Cowsert (46th) seconded the motion. The motion passed 5-3.

Sen. Kennedy (18th), Sen. Ligon (3rd), Sen. Strickland (17th), Sen. Kirk (13th), and Sen. Cowsert (46th) voted in favor

Sen. Parent (42nd), Sen. Rhett (33rd), and Sen. Jones (22nd) voted against.

HR 993 DO PASS BY SUBSTITUTE (LC 29 8115S)

NOTE: Sen. Kirk (13th) left at 3:13 p.m.

NOTE: Sen. Kennedy (18th) left at 3:13 p.m.

HB 657 (Rep. Petrea, 166th, LC 41 1233) Firearms; providing to person on probation as a felony first offender; make unlawful

Rep. Petrea (166th) presented HB 657 (LC 41 1233) to the Committee.

The following spoke in favor of the bill:
Mr. Thomas Weaver, a private citizen

Sen. Strickland (17th) made a motion to **Amend HB 657** by instructing the Office of Legislative Counsel to add language to the bill clarifying that upon a second or subsequent conviction, punishment would not be less than five nor more than 10 years. Sen. Cowsert (46th) seconded the motion. The motion passed unanimously.

Sen. Jones (22nd) made a motion that **HB 657 Do Pass By Substitute (LC 29 8114S)**. Sen. Rhett (33rd) seconded the motion. The motion passed unanimously.

HB 657 DO PASS BY SUBSTITUTE (LC 29 8114S)

NOTE: Sen. Ligon (3rd) left at 3:24 p.m.

NOTE: Sen. Ligon (3rd) returned at 3:26 p.m.

NOTE: Sen. Cowsert (46th) left at 3:32 p.m.

HB 497 (Rep. Efstration, 104th, LC 41 1108S) Juvenile proceedings; filing a petition for delinquency when informal adjustment or other nonadjudicatory procedures are used; extend period

Rep. Efstration (104th) presented the bill to the Committee

The following spoke in favor of the bill:
Ms. Kathy Floyd of the Georgia Council on Aging

This was a hearing only and no action was taken.

HEARING ONLY

With no further business, the meeting was adjourned at 3:38 p.m.

Respectfully Submitted,

/s/ Sen. Jesse Stone (23rd), Chairman

/s/ Janelle Bova, Recording Secretary

April 2, 2018

Mr. David Cook
Secretary of the Senate
353 State Capitol
Atlanta, Georgia 30334

Dear Mr. Cook:

I return herewith, to the Office of the Secretary of the Senate, the following bills which were not acted upon in the Senate Committee on Judiciary during the 2018 Legislative Session:

SB 72	SB 187	SB 466
SB 80	SB 189	SB 472
SB 86	SB 204	SB 476
SB 92	SB 212	SB 494
SB 94	SB 231	SR 34
SB 105	SB 234	SR 682
SB 119	SB 299	SR 699
SB 120	SB 316	SR 820
SB 130	SB 326	HB 9
SB 135	SB 329	HB 67
SB 136	SB 347	HB 203
SB 145	SB 374	HB 213
SB 148	SB 388	HB 293
SB 162	SB 390	HB 308
SB 177	SB 449	HB 497
SB 185	SB 454	

Sincerely,

Janelle Bova
Senate Committee on Judiciary